

FEDERAL REGISTER

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Washington, Thursday, March 25, 1954

TITLE 3—THE PRESIDENT

PROCLAMATION 3046

PAN AMERICAN DAY, 1954

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the American Republics jointly and severally honor April 14 as a date of Hemisphere significance, since that day sixty-four years ago marked the beginning of the association which has developed into the Organization of American States and in which the twenty-one American Republics are Member States;

WHEREAS the Tenth Inter-American Conference this year focuses attention once again upon the fundamental importance of inter-American solidarity as an indispensable bulwark of the free world;

WHEREAS the reciprocal friendship, mutual respect, and steadfast cooperation of the American Republics stand as an example which other nations have come to recognize and accept as a working-model for international relationships;

WHEREAS for all of the foregoing reasons April 14 is a recurrent occasion for thanksgiving and rejoicing on the part of the people of the United States in common with the sister nations of America;

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Wednesday, April 14, 1954, as Pan American Day, for celebration by the people of this nation as the day of the Americas and a day for expressing that good will toward the other American peoples and that faith in our mutual adherence to the principles of freedom and democracy which have inspired our independence as nations and cemented our cooperation as neighbors.

I call upon officials of the Federal, State, and local Governments; representatives of civic, educational, and religious organizations; agencies of the press, radio, television, motion picture, and other media of communications; and all the people of the United States of

America, to cooperate in fitting observance of Pan American Day, by ceremonies or other public activities appropriate to the occasion, as a symbol of inter-American solidarity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of March in the year of our Lord nineteen hundred and [SEAL] fifty-four, and of the Independence of the United States of America the one hundred and seventy-eighth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 54-2155; Filed, Mar. 23, 1954;
3:25 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture.

Subchapter A—General Regulations and Policies
PART 402—PRICING POLICY FOR CERTAIN COMMODITIES AVAILABLE FOR SALE

RESTRICTIONS ON EXPORT SALES; OTHER SALES

The regulation published in 18 F. R. 1583, containing the pricing policy for certain commodities available for sale, is hereby amended as follows:

1. Section 402.102 *Restrictions on export sales* is amended to read as follows:

§ 402.102 *Restrictions on export sales.* Sales are restricted to buyers not using Foreign Operations Administration funds or other funds of the United States Government. Commodities purchased from CCC may be resold to buyers using any such funds only if it is determined by CCC that the purchase price paid to it by the purchaser is not less than (a) the higher of the support price plus handling and storage costs

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CFR SUPPLEMENTS

(For use during 1954)

The following Supplements are now available:

Title 3, 1953 Supp. (\$1.50)

Title 16 (\$1.00)

Titles 22-23 (\$1.00)

Title 24 (\$0.75)

Previously announced: Title 8 (\$0.35); Titles 10-13 (\$0.50); Title 18 (\$0.45); Title 25 (\$0.45); Titles 40-42 (\$0.50); Title 49: Parts 1 to 70 (\$0.60); Parts 71 to 90 (\$0.65); Parts 91 to 164 (\$0.45); Parts 165 to end (\$0.60)

Order from
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or the domestic market price on the date of sale by CCC, in the case of funds appropriated or reappropriated under Title III of the Mutual Security Appropriation Act of 1953, or (b) the higher of the minimum price required by the statutory pricing restriction, if any, applicable to sales made by CCC for other Government funds, or the domestic market price on the date of sale by CCC, in the case of any other such funds.

2. Section 402.105 *Other sales* is amended to read as follows:

§ 402.105 *Other sales.* The general policy of Commodity Credit Corporation of making sales on a bid or negotiated basis will continue to apply to all sales not covered by this announcement, including all sales which involve the use of Foreign Operations Administration or other U. S. Government funds. Inquiries with respect to such sales may be addressed to the Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C.

(Sec. 407, 63 Stat. 1055; 7 U. S. C. Sup. 1427)

Issued: March 19, 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-2114; Filed, Mar. 24, 1954;
8:55 a. m.]

Subchapter B—Loans, Purchases, and Other Operations

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Corn]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1953-CROP CORN LOAN AND PURCHASE AGREEMENT PROGRAM

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 18 F. R. 5359 and 6983, and containing the specific requirements for the 1953-Crop Corn Price Support Program are hereby amended as follows:

1. Section 421.52 (d) (formerly § 601.52 (d)) is amended by inserting the words "may not be or" in the first sentence thereof after the word "producers."

2. Section 421.57 (formerly § 601.57) is amended by (1) changing the words "are not" in the first sentence of paragraph (c) to "may not be," by (2) adding a new paragraph (d) to provide that the State committee shall call farm-storage loans and require that deliveries be made under purchase agreements from farm-storage during the earlier delivery period whenever the State committee determines that producers in any area are not in a position to safely store corn for the full storage period, and by (3) changing former paragraph (d) to (e) so that the amended section reads as follows:

§ 421.57 *Maturity of loans and delivery.* (a) Loans mature on demand but not later than July 31, 1954.

(b) Corn may be delivered under purchase agreements and in satisfaction of

farm-storage loans after maturity in accordance with § 421.18.

(c) In areas where it is determined by the ASC State committee that some producers may not be in a position to store corn safely for the full storage period (for reasons set forth in § 421.52 (d)), the ASC State committee may establish an earlier delivery period prior to maturity (in addition to the regular delivery period) during which producers may voluntarily deliver corn in farm-storage under loans and purchase agreements. Such earlier delivery period, if established, shall be the first 10 days of either April, May, June, or July 1954. CCC will accept deliveries of corn during such 10-day period, provided the producer notifies the ASC county committee of his intention to deliver at least 10 days prior to the first day of the 10-day delivery period. The 10-day delivery period may be extended if it is determined by the county committee that more time is needed for the acceptance of deliveries.

(d) If the ASC State committee determines that producers in any area are not in a position to safely store corn for the full storage period (for reasons set forth in § 421.52 (d)), all farm-storage loans in such area shall be called promptly by the ASC State committee, and producers who elect to make deliveries from farm-storage under purchase agreements shall be required to do so during the delivery period for loans. Such earlier delivery period, if established, shall begin at least 30 days after the final date of availability of loans and purchase agreements established by the ASC State committee, and not before April 1, 1954.

(e) Corn under farm-storage loan may be delivered at any time prior to maturity with the approval of the county committee, if the farm is sold or there is a change of tenancy, or if the corn is going out of condition, or threatened with damage by flood or other conditions which are beyond the control of the producer.

3. Section 421.60 (d) (formerly § 601.60 (d)) is amended by correcting paragraph references contained therein and by adding a reference to § 421.57 (d) so that the amended paragraph reads as follows:

§ 421.60 *Settlement*— * * *

(d) *Charges for early delivery.* (1) If corn is delivered to CCC before July 31, 1954, in accordance with § 421.57 (c), or in accordance with § 421.57 (e), except as provided in subparagraph (2) of this paragraph, a charge shall be made against the producer at the time of settlement at the rate of $\frac{1}{2}$ of a cent per bushel a day from the date delivery is accomplished, or from the final date for delivery shown in the delivery instructions issued by the county committee, whichever is earlier, through July 31, 1954, to compensate CCC for the carrying charges incurred because of early delivery.

(2) No such charge shall be made for early delivery when the delivery is made in accordance with § 421.57 (d), or in accordance with § 421.57 (e) because the corn is threatened with damage by flood or other conditions which are beyond the

control of the producer, or when the delivery is made on demand by CCC and such demand is not due to negligence on the part of the producer.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1441, 1421)

Issued this 19th day of March 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-2115; Filed, Mar. 24, 1954;
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[1954 C. C. C. Grain Price Support Bulletin 1, Amdt. 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS 1954-CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

INTEREST RATE

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F. R. 967 and containing regulations of a general nature with respect to price support programs for certain grains and other commodities produced in 1954 are amended as follows:

Section 421.411 *Interest rate* is amended by inserting "3½" before the word "percent" the first time it appears so that the section begins "Loans shall bear interest at the rate of 3½ percent * * *."

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or applies sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 65 Stat. 758, 15 U. S. C. Sup. 714c; 7 U. S. C. Sup. 1441, 1447, 1421)

Issued this 19th day of March 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-2113; Filed, Mar. 24, 1954;
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[1954 C. C. C. Flaxseed Bulletin 1, Amdt. 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954 TEXAS FLAXSEED PURCHASE PROGRAM

BASIC PURCHASE PRICES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F. R. 1105, and containing the specific requirements for the 1954 Texas Flaxseed Purchase Program are amended as follows:

Section 421.679 (a) is amended by adding Red River County, Texas to the list of counties for which the program is authorized and by showing the basic purchase rate per bushel for No. 1 Flaxseed for that county to be \$2.78.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054;

15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1447, 1421)

Issued this 19th day of March 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[P. R. Doc. 54-2112; Filed, Mar. 24, 1954;
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TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter H—Determination of Wage Rates [Sugar Determination 862.6]

PART 862—SUGAR BEETS; REGIONS OTHER THAN STATE OF CALIFORNIA, SOUTHWESTERN ARIZONA, SOUTHERN OREGON, AND WESTERN NEVADA

1954 CROP

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in several cities in the sugar beet area during November and December 1953, the following determination is hereby issued:

§ 862.6 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1954 crop of sugar beets in regions other

than the State of California, southwestern Arizona, southern Oregon, and western Nevada—(a) Requirements. The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of the 1954 crop of sugar beets in regions other than the State of California, southwestern Arizona, southern Oregon, and western Nevada if the producer complies with the following:

(1) *Wage rates.* All persons employed on the farm, or part of the farm covered by a separate labor agreement, shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer but, after the beginning of work on the 1954 crop of sugar beets or the date of issuance of this determination, whichever is later, not less than the following:

(i) *When employed on a time basis.* (a) For thinning, hoeing, or weeding: 65 cents per hour.

(b) For pulling, topping, or loading: 70 cents per hour.

(c) For the operations specified above performed by workers between 14 and 16 years of age the above rates may be reduced by not more than one-third. Maximum employment for workers between 14 and 16 years of age, without deduction from payments under the act to the producer, is 8 hours per day.

(ii) *When employed on a piecework basis for thinning, hoeing, and weeding.*

(iii) *When employed on a piecework basis for harvesting.* The piecework rates for hand pulling, topping, and loading shall be those agreed upon between the producer and the worker: *Provided,* That the average hourly rate of earnings for each worker for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than 70 cents per hour.

(iv) *When employed on a time or piecework basis for other operations.* For operating mechanical equipment, irrigating, and all other operations in the production, cultivation, or harvesting of sugar beets for which a rate is not specified herein, the rate shall be as agreed upon between the producer and laborer.

(b) *Perquisites.* In addition to the foregoing, the producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as housing, garden plot, and similar items.

(c) *Subterfuge.* The producer shall not reduce the wage rates to laborers below those determined in this section through any subterfuge or device whatsoever.

(d) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the local County Agricultural Stabilization and Conservation Office against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at that office. Upon receipt of a wage claim the county office shall thereupon notify the producer against whom the claim is made concerning the representation made by the laborer. The County ASC Committee shall make such investigation as it deems necessary and the producer and laborer shall be notified in writing of its recommendation for settlement of the claim. If either party is not satisfied with the recommended settlement, an appeal may be made to the State Agricultural Stabilization and Conservation Office of the State in which is located the farm where the work was performed. The address of the State Office will be furnished by the local county office. Upon receipt of the appeal the State ASC Committee shall likewise consider the facts and the producer and laborer shall be notified in writing of its recommendation for settlement of the claim. If the recommendation of the State Committee is not acceptable, either party may file an appeal with the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C. All such appeals shall be filed within 15 days after receipt of the recommended settlement of the respective committee, otherwise such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payments under the act are concerned.

RATES PER ACRE BY INDICATED WAGE DISTRICTS

Operations	I		II		III		IV		V	VI
	(A)		(B)		(A)		(B)			
	Illinois, Indiana, Michigan, Ohio, Wisconsin	Minnesota (Northwestern), North Dakota (Eastern)	Iowa (Southwestern), Minnesota (Eastern)		Colorado, Kansas, Nebraska, New Mexico, South Dakota, Texas, Utah (East Central), Wyoming, (Southwestern and Eastern)		Montana (except Western), North Dakota (Western), Wyoming (Northern)		Idaho (Southwestern and Eastern), Nevada (Northwestern), Utah (except East Central)	Idaho (Western), Oregon (except Southwestern), Washington
<i>Thinning</i>										
Hoe and finger thinning fields planted with processed seed (note 1):										
Without machine thinning.....	\$13.00	\$13.00	\$14.00		\$13.50		\$14.50	\$13.50	\$13.00	\$13.00
With machine thinning.....	11.00	11.00	12.00		11.50		12.50	11.50	11.00	11.00
Hoe thinning only (any type seed).....	9.00	9.00	10.00		9.50		10.50	9.50	9.00	9.00
<i>Weeding</i>										
First hoeing following complete machine thinning (note 2).....	9.00	9.00	10.00		9.50		10.50	9.50	9.00	9.00
First hoeing following hoe thinning only.....	5.50	6.00	6.00		6.50		7.00	7.00	6.00	8.00
First hoeing following hoe and finger thinning or hoe thinning only.....	4.50	5.00	5.00		5.50		6.00	6.00	5.00	7.00
Second and each subsequent hoeing or weeding.....	3.00	3.50	4.00		4.00		4.50	5.50	4.00	6.00

Combined operations. Where a written agreement provides for a combined rate for "summer work", the rate for such work regardless of the number of hoeings or weeding required, shall be the sum of the applicable thinning, hoeing, and weeding rates specified above.

Wide row planting. The above thinning, hoeing, and weeding rates may be reduced by not more than the indicated percentages for the following row spacings: 28 inches or more but less than 31 inches, 20 percent; 31 inches or more but less than 34 inches, 25 percent; 34 inches or more, 30 percent.

Cross cultivation. Where cross cultivation is performed prior to hoeing or weeding the specified first hoeing rate, other than first hoeing following complete machine thinning, may be reduced by not more than \$1.00 per acre, and the specified subsequent hoeing or weeding rate may be reduced by not more than 50 cents per acre.

Note 1: The basic piecework rate for hoe and finger thinning fields planted with natural whole seed shall be \$2.00 per acre more than the rates specified above.

Note 2: The above rate is applicable on fields which have been completely machine thinned; where the worker is not required to finger thin; and when the operation is performed at the time first hoeing customarily is performed.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates which a producer must pay as a minimum, for work performed by persons employed on the farm in the production, cultivation, or harvesting of the 1954 crop of sugar beets in regions other than the State of California, southwestern Arizona, southern Oregon, and western Nevada as one of the conditions for payment under the act.

(b) *Requirements of the act and standards employed.* In determining fair and reasonable wage rates the act requires that a public hearing be held, that investigations be made, and that consideration be given to (1) the standards formerly established by the Secretary of Agriculture under the Agricultural Adjustment Act, as amended (i. e., cost of living, prices of sugar and by-products, income from sugar beets and cost of production); and (2) the differences in conditions among various sugar producing areas.

(c) *1954 wage determination.* This determination differs from the 1953 wage determination in the following respects: (1) Piecework rates for hand harvesting sugar beets will be as agreed upon between producers and workers, subject to a minimum hourly earnings guarantee, instead of specific piecework rates for harvesting operations; and (2) certain explanations and piecework rate definitions have been clarified or eliminated.

A public hearing was held in Detroit, Michigan; St. Paul, Minnesota; Billings, Montana; Salt Lake City, Utah; and Greeley, Colorado during the period November 30 through December 11, 1953 at which interested parties presented testimony with respect to fair and reasonable wage rates for work on the 1954 crop of sugar beets. At the hearing and through supplemental briefs most of the producer representatives recommended the continuation of the 1953-crop wage rates for the 1954 crop. Producers generally, except in the Great Lakes region, recommended reductions in the wage rate for first hoeing work, following complete machine thinning, of between \$1.50 and \$3.00 per acre on the basis that wage costs and worker earnings for this operation in 1953 were disproportionate to the other cultivating operations. Certain producer representatives expressed the belief that the differential rates which have been maintained between specific districts because of differences in man-hour requirements, cultivation practices, and soil and weed conditions, have become less pronounced as a result of mechanization and chemical weed control. They suggested a lowering of the rates to the level of the contiguous wage districts. In view of the increase in mechanical thinning some producers also recommended a single pre-weeding rate, that for first hoeing following complete machine thinning, with other pre-weeding wage rates to be as agreed upon between the producer and the worker. In response to questions by the presiding officers seeking views on simplification of the wage structure of the determination, most producer representatives expressed the opinion that specific piecework rates

were preferable to a provision which would require piecework rates as agreed upon between the producer and the worker with average earnings of not less than the hourly rates specified in the determination. The reasons for their position were the added supervisory requirements, the keeping of time records, and the family characteristics of most labor crews. However, one producer representative indicated that such a minimum hourly earnings guarantee for piecework employees might be feasible for harvesting work only, since a very large proportion of the sugar beets are now mechanically harvested and the earnings of hand harvesters would probably exceed the minimum hourly wage rate of the determination.

Consideration has been given to recommendations made at the hearing, to current crop and price conditions, to data reflecting the economic position of producers, to the cost of living of workers, to changes occurring in production methods, to investigations, and to other pertinent factors. An analysis of these factors indicates that the wage rates of this determination are within producers' ability to pay and will return to workers average earnings which reflect changes in living costs during recent years.

During the past decade mechanical harvesting of sugar beets has progressed rapidly. It is estimated that about 90 percent of the 1953 crop was machine harvested. Since some farm families hand harvest their own crops, piecework rates are effective for relatively few farms during harvest. The elimination of specific piecework rates for hand harvesting and the provision for agreed upon piecework rates with a minimum hourly earnings guarantee to workers, will provide more flexible wage rate arrangements on farms where hand harvesting is performed. The minimum guarantee of 70 cents per hour is considered to be a reasonable level and there should be no necessity for adjustment of workers' earnings if the agreed upon piecework rates reflect actual field conditions. Certain explanations and definitions of wage rates provided in the 1953 determination have been clarified or eliminated which will result in further simplification of the wage rate structure.

The recommendation of certain producers that rates be reduced to the levels of contiguous districts because of changed production practices, has not been adopted as it appears desirable to give further study to the matter. The recommendation for a general reduction in the rate for first hoeing following complete machine thinning has not been adopted. Analysis indicates that the savings in labor costs for this operation compared with regular cultivation methods appear to be adequate to provide the economic incentive to producers for the further development and utilization of machine thinning.

After full consideration of available economic data, the wage rates provided in this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage pro-

visions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 22d day of March 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-2117; Filed, Mar. 24, 1954; 8:56 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 22]

PART 76—HOG CHOLERA, SWINE PLAGUE AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B—VESICULAR EXANTHEMA

CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125), sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111, 120), and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117), § 76.27 of the regulations restricting the interstate movement of swine and certain swine products because of vesicular exanthema (9 CFR, Part 76, Subpart B (18 F. R. 3636, 19 F. R. 1367), as amended) is hereby amended by deleting paragraph (a) relating to Arkansas, and by changing paragraph (b), subparagraph (1) of paragraph (c), and paragraphs (e) and (f), to read as follows:

§ 76.27 *Notice and quarantine.* Notice is hereby given that swine in the following areas in the specified States are affected with vesicular exanthema. Such areas are hereby quarantined because of said disease.

(a) [Deleted.]

(b) *California:* (1) That area consisting of all of those counties south of and including the counties of Sonoma, Napa, Solano, Sacramento, Amador, and Alpine.

(2) That area lying north and west of State Highway 24, south of the Richvale-Oroville Highway, and east of the Feather River; that area lying north of Humboldt Road, south of Eighth Avenue and Big Chico Creek, west of Ponderosa Way, and east of El Monte Avenue; and that area lying north of the Durham-Pentz Road, south of the Pearson Road, west of the Pentz Road, and east of the Clark Road, in Butte County.

(3) That area lying north and east of the U. S. Reclamation Drainage Canal, south of the Sycamore County Road, and west of U. S. Highway 99W; and that area consisting of Parcel 4, Lot 37 of Gibson Colony No. 1 lying along North Freshwater Creek off Freshwater Road, in Colusa County.

(4) That portion of Sec. 23, T. 14 N., R. 1 W., HU. B. & M., which lies west of U. S. Highway 101; Sec. 14, T. 17 N., R. 1 W., HU. B. & M.; Sec. 17, T. 16 N., R. 1 W., HU. B. & M.; and Sec. 23, T. 16 N., R. 1 W., HU. B. & M., in Del Norte County.

(5) NE. ¼ of SE. ¼ Sec. 27, NW. ¼ Sec. 26, T. 10 N., R. 10 E., M. D. B. & M.; and SW. ¼ of SW. ¼ Sec. 1, T. 9 N., R. 10 E., M. D. B. & M., in El Dorado County.

(8) That area lying north of County Road No. 57, south of County Road No. 53, west of County Road No. M, and east of Glenn-Colusa Irrigation Canal, in Glenn County.

(7) Sec. 34, T. 6 N., R. 1 W., H. B. & M.; Secs. 19 and 31, T. 7 N., R. 1 E., H. B. & M.; Sec. 28, T. 7 N., R. 5 E., H. B. & M.; Secs. 9, 10, and 15, T. 6 N., R. 3 E., H. B. & M.; Sec. 24, T. 4 S., R. 3 E., H. B. & M.; Sec. 7, T. 2 N., R. 1 E., H. B. & M.; Sec. 26, T. 4 N., R. 1 W., H. B. & M.; Sec. 19, T. 4 S., R. 4 E., H. B. & M.; Sec. 20, T. 9 N., R. 1 E., H. B. & M.; Sec. 30, T. 8 N., R. 1 E., H. B. & M.; and Sec. 17, T. 2 N., R. 1 E., H. B. & M., in Humboldt County.

(8) Sec. 2, T. 14 N., R. 7 W., M. D. B. & M.; Sec. 3, T. 11 N., R. 8 W., M. D. B. & M.; Sec. 13, T. 15 N., R. 10 W., M. D. B. & M.; Secs. 26 and 27, T. 14 N., R. 10 W., M. D. B. & M.; and Sec. 3, T. 10 N., R. 7 W., M. D. B. & M., in Lake County.

(9) Secs. 5 and 6, T. 29 N., R. 12 E., M. D. B. & M.; Sec. 4, T. 26 N., R. 16 E., M. D. B. & M.; and Sec. 11, T. 26 N., R. 15 E., M. D. B. & M., in Lassen County.

(10) Sec. 24, T. 19 N., R. 14 W., M. D. B. & M.; Secs. 6, 19, and 20, T. 18 N., R. 17 W., M. D. B. & M.; Secs. 27 and 29, T. 20 N., R. 14 W., M. D. B. & M.; Sec. 15, T. 19 N., R. 17 W., M. D. B. & M.; Sec. 3, T. 16 N., R. 12 W., M. D. B. & M.; Secs. 22 and 24, T. 21 N., R. 15 W., M. D. B. & M.; Secs. 4 and 27, T. 15 N., R. 12 W., M. D. B. & M.; Secs. 3, 4, 20, and 21, T. 18 N., R. 13 W., M. D. B. & M.; Sec. 28, T. 17 N., R. 11 W., M. D. B. & M.; Sec. 26, T. 22 N., R. 18 W., M. D. B. & M.; Sec. 2, T. 18 N., R. 13 W., M. D. B. & M.; and Sec. 22, T. 19 N., R. 13 W., M. D. B. & M., in Mendocino County.

(11) Sec. 1 and N. $\frac{1}{2}$ Sec. 12, T. 42 N., R. 12 E., M. D. B. & M.; Sec. 13, T. 42 N., R. 13 E., M. D. B. & M.; and Secs. 18 and 19, T. 42 N., R. 14 E., M. D. B. & M., in Modoc County.

(12) Sec. 7, T. 15 N., R. 8 E., M. D. B. & M.; Secs. 18 and 19, T. 14 N., R. 8 E., M. D. B. & M.; and that area north of the Nevada county line, south of Truckee River adjacent to U. S. Highway 40, west of Truckee-Brockway Shortcut, County Road P151, and east of Truckee River adjacent to State Highway 89, in Nevada County.

(13) That area lying north of State Highway 28, south of the Placer County line, west of Truckee-Brockway Shortcut, County Road P151, and east of Truckee River adjacent to State Highway 89; that area lying north and west of U. S. Highway 40, south of Grove Creek, and east of U. S. Highway 99E; that area lying north of County Road P10, south and east of U. S. Highway 40, and west of County Road P18 and its prolongation to U. S. Highway 40; and that area lying north of Flood Road, south of Dry Creek Road, west of U. S. Highway 40, and east of State Highway 49, in Placer County.

(14) That area lying north of the Quincy-Meadow Valley Road, south of the Oakland Camp Road, and west of Meadow Valley Oakland Camp Road, in Plumas County.

(15) W. $\frac{1}{2}$ of SW. $\frac{1}{4}$ Sec. 30 and Secs. 15 and 16, T. 32 N., R. 4 W., M. D. B. & M.; and Sec. 32, T. 32 N., R. 5 W., M. D. B. & M., in Shasta County.

(16) N. $\frac{1}{2}$ Sec. 23, S. $\frac{1}{2}$ Sec. 14, and W. $\frac{1}{2}$ of SW. $\frac{1}{4}$ of SW. $\frac{1}{4}$ Sec. 26, T. 45 N., R. 7 W., M. D. B. & M.; NW. $\frac{1}{4}$ Sec. 30, and that portion of SW. $\frac{1}{4}$ Sec. 19 which lies south of Yreka-Montague Highway, T. 45 N., R. 6 W., M. D. B. & M.; NW. $\frac{1}{4}$ Sec. 34, T. 40 N., R. 4 E., M. D. B. & M.; Sec. 33, T. 42 N., R. 5 W., M. D. B. & M.; and Secs. 1 and 12, T. 39 N., R. 3 W., M. D. B. & M., in Siskiyou County.

(17) W. $\frac{1}{2}$ of SW. $\frac{1}{4}$ of NW. $\frac{1}{4}$ Sec. 26 and NE. $\frac{1}{4}$ Sec. 32, T. 27 N., R. 4 W., M. D. B. & M., in Tehama County.

(18) Sec. 8, T. 5 N., R. 6 E., H. B. & M.; and Sec. 30, T. 8 N., R. 1, H. B. & M., East of Humboldt County, in Trinity County.

(19) NE. $\frac{1}{4}$ Sec. 36, T. 11 N., R. 2 E., M. D. B. & M.; NW. $\frac{1}{4}$ Sec. 11 and E. $\frac{1}{2}$ of SE. $\frac{1}{4}$

Sec. 34, T. 9 N., R. 2 E., M. D. B. & M.; SE. $\frac{1}{4}$ of NW. $\frac{1}{4}$ Sec. 30, T. 10 N., R. 2 E., M. D. B. & M.; that area beginning at a point one mile east of the intersection of County Road 93 and State Highway 16, extending east along State Highway 16 for a distance of 176 yards, thence north $\frac{1}{4}$ mile, thence west 176 yards, thence south to point of origin in Sec. 33, T. 10 N., R. 1 E., M. D. B. & M.; that area beginning at the intersection of County Roads Nos. 32 and 95, extending west along County Road No. 32 for 176 yards, thence south 200 yards, thence east 200 yards, thence north 200 yards, thence west 24 yards to point of origin in Secs. 15 and 16 in T. 8 N., R. 1 E., M. D. B. & M.; and that area beginning at the intersection of County Roads Nos. 124 and 126, extending south $\frac{1}{4}$ mile, thence west $\frac{1}{2}$ mile, thence north $\frac{1}{4}$ mile, thence east to County Road No. 124, and thence southeast along County Road 124 to the point of origin, in Yolo County.

(20) That area lying north of Simpson Lane County Road, south of Plantz Road and its prolongation to the Yuba River, west of the Yuba River, and east of State Highway 20; that area lying north of Old Earle Road, south of Upper Camp Beale Road, west of corner of Camp Beale, and east of Griffith Avenue; that area lying north of Tenth Street, south of Nigger Jack Slough, west of State Highway 24, and east of the Feather River; and Sec. 7, T. 14 N., R. 4 E., M. D. B. & M., in Yuba County.

(c) Connecticut: (1) Hartford County.

(e) Massachusetts: (1) Suffolk County.

(2) All of Bristol County except the following:

(i) That part of the Town of Acushnet lying north of Wing and Hathway Roads, south of Perry Hill Road, east of Main Street, and west of Mandell Road; and that part of the Town of Acushnet lying north and west of Main Street, south of Hamblin Street, and east of Middle Road.

(ii) That part of the City of Fall River lying southeast of Blossom Road, southwest of Yellow Hill Road, and north of Indian Town Road; and that part of the City of Fall River lying north of President Avenue, south of Driftwood Street, west of Meriden Street, and east of Highland Avenue.

(iii) That part of the Town of Mansfield lying south of West Street, west of the New York, New Haven and Hartford Railroad, north of Pine and School Streets, and east of Tremont Street.

(iv) That part of the City of New Bedford lying north of Quantpaugh Road, south of Plainville Road and Tarkin Hill Avenue, west of the New York, New Haven and Hartford Railroad, and east of High Hill Road.

(v) That part of the City of Norton lying north, south and east of Smith Street and west of Mansfield Avenue; that part of the Town of Norton lying northeast of Mansfield Avenue, southwest of Elm Street, northwest of State Route No. 123, and southeast of Reservoir Street; and that part of the Town of Norton lying northeast of Elm Street, northwest of State Route No. 123, southeast of Cross Street, and southwest of North Washington Street.

(vi) That part of the Town of North Dartmouth lying south of Hicksville Road, east of Cross Street, west of Bellen Street, and northeast of Cross Road and U. S. Route No. 6.

(vii) That part of the Town of North Easton lying north of Rockland Street, west of Bay Road, and east of Massapoag Avenue; and that part of the Town of North Easton lying north of Lincoln Street, east of Bay Street, south of Canton Street, and west of Main Street.

(viii) That part of the Town of Raynham lying north of Mill Street, east of State Route No. 104, south of Gardner Street, and west of King Phillip Street.

(ix) That part of the Town of Rehoboth lying west of Reed Street, south of Providence Street, and north and east of Peckham Street.

(x) That part of the Town of South Dartmouth lying north of Russell Mills Road, south of Allen Street, west of Slocum Road, and east of Tucker Road; and that part of the Town of South Dartmouth lying south of Roger Street, east of Dartmouth Street, north of Sol-E-Mar Street, and west of Clark's Cove.

(xi) That part of the Town of South Easton lying south of Main Street, north of Central Street, east of Washington Street and State Route No. 138, and west of the New York, New Haven and Hartford Railroad.

(xii) That part of the City of Swansea lying north of Marvel Road, south of Main Street, west of Sharp Lot Road, and east of Miller's Lane; and that part of the Town of Swansea lying north of Halle's Hill Road, south of Stevens Road, west of Sharp Lot Road, and east of Box Street.

(xiii) The Myles Standish State School in the Town of Taunton lying east of State Route No. 140, south and west of Bassett Street, and north of the New York, New Haven and Hartford Railroad; that part of the City of Taunton lying south of Norton Avenue, west of Crane Avenue, north of the New York, New Haven and Hartford Railroad, and east of State Route No. 140; that part of the City of Taunton lying south of Thrasher Street, north of Longmeadow and Winter Streets and U. S. Route No. 44, east of School Street, and west of King Phillip Street; that part of the City of Taunton lying south of East Brittanla, north of Thrasher Street, east of Washington Street and west of King Phillip Street; and that part of the City of Taunton lying south of Tremont Street, north of Glebe Street, east of Burt Street, and west of North Walker Street.

(xiv) That part of the Town of Westport lying east of Main Road, north of Kirby Road, west of Drift Road, and south of Old County Road.

(3) All of Essex County except the following:

(i) That part of the Town of Andover lying north of Rattlesnake Hill Road, east of Woburn Street, west of Wood's Road, and south of Ballardvale Road; that part of the Town of Andover lying south of High Street, west of Greenwood Road, north of State Route No. 133, and east of Woodhill Road; and that part of the Town of Andover lying south of the Lowell Branch of the Boston and Maine Railroad, east of the Shawshen River, and west of the Western Division of the Portland Branch of the Boston and Maine Railroad.

(ii) The Town of Ballard Vale.

(iii) The Town of Byfield.

(iv) The Town of Essex.

(v) That part of the City of Danvers lying north of State Route No. 62, south of Nicholas Street, and west of U. S. Route No. 1.

(vi) That part of the Town of Georgetown lying north of State Route No. 133, west of Bailey Lane, and south and east of Hampshire Lane; and that part of the Town of Georgetown lying east of Spofford Street, south of State Route No. 133, and west of Baldpate Road.

(vii) That part of the City of Gloucester lying north of State Route No. 121, south of Walker Street, and west of Lincoln Street; and that part of the City of Gloucester lying southwest of Witham Street, north of Thatcher Street, and east of Eastern Street.

(viii) The Town of Groveland.

(ix) That part of the City of Haverhill lying north of State Route No. 125, south and east of the Boston and Maine Railroad and the Merrimac River, and east of Main Street; that part of the City of Haverhill lying northeast of County Bridge Road and State Route No. 110; that part of the City of Haverhill lying west of the Boston and

Maine Railroad, east of Hilldale Avenue, and north of State Route No. 97; and that part of the City of Haverhill lying south of State Route No. 97, east of Carleton Street, and northwest of Lowell Street.

(x) That part of the Town of Ipswich lying east of Town Farm Road, south of the Rowley River, west of East Street and Plum Island River, and north of High Street; that part of the Town of Ipswich lying south and east of Pine Swamp Road, north of Topsfield Road, and west of State Route No. 1-A; and that part of the Town of Ipswich lying northwest of East Street, east of Spring Street and Town Farm Road, and south of the Plum Island River.

(xi) The Town of Merrimac.

(xii) That part of the Town of Methuen lying south of Brookdale Avenue, east of Jasper Street, west of State Route No. 110, and north of Steele Street; that part of the Town of Methuen lying south of Renfrew Street, east of Jasper Street, west of State Route No. 110, and north of Baremeadow Brook; that part of the Town of Methuen lying north of State Route No. 113, southeast of Baremeadow Brook, and west of State Route No. 110; that part of the Town of Methuen lying north of Walton Avenue, west of the Merrimac River, south of Pitman Street, and east of State Route No. 110; that part of the Town of Methuen lying east of Howe Street, south of Archibald Street, west of Washington Street, and north of Roosevelt Street; that part of the Town of Methuen lying north and east of Forest Street, south of Pelham Street, and west of State Route No. 113; that part of the Town of Methuen lying east of Washington Street, southwest of Drew Street, and north of State Route No. 113; that part of the Town of Methuen lying north of Pitman Street, south of Gage Ferry Road, west of the Merrimac River, and east of State Route No. 110; and that part of the Town of Methuen lying southwest of the Merrimac River, north of River View Boulevard, and east of State Route No. 110.

(xiii) That part of the Town of Middleton lying southwest of State Route No. 114 and northwest of Forest Street.

(xiv) That part of the Town of North Andover lying north of State Route No. 125, east of Baker Street, and west of State Route No. 133; and that part of the Town of North Andover lying north of Salem Street, south of Winter Street, east of Dale and Bradford Streets, and west of Foster Street.

(xv) That part of the City of Peabody lying northeast of Lake Street (rear), northwest of the Boston and Maine Railroad, and southwest of Lake Street; that part of the City of Peabody lying north of Goodale Street, south of the Middleton Town Foundry, west of U. S. Route No. 1, and east of Morris Brooks; that part of the City of Peabody lying east of Farm Avenue, south of Forest Street, and north and west of Goldthwaite Brook; that part of the City of Peabody lying north of Lowell Street and east, west, and south of Goodale Street; that part of the City of Peabody lying north of Winona Street, south of Lowell Street, and west of Lake Street; that part of the City of Peabody lying south of Forest Street, north of State Route No. 128, east of U. S. Route No. 1, and west of Farm Avenue; that part of the City of Peabody lying south of Lynnfield Street, west of Lynn Street, north of Glenway Street, and east of the junction of Lynnfield and Glenway Streets; and that part of the City of Peabody lying northeast of Russell Street, and southwest of the Boston and Maine Railroad.

(xvi) The City of Revere.

(xvii) The Town of Rockport.

(xviii) That part of the Town of Saugus lying north of Main Street, east of U. S. Route No. 1, south of Prankers Pond, and west of Central Street.

(xix) That part of the City of West Peabody lying east of the Boston and Maine

Railroad, south of Lake Street (rear), and west of U. S. Route No. 1.

(xx) The Town of Wenham.

(4) All of Hampden County except the following:

(i) That part of the Town of East Longmeadow lying north of Hampden Road, south of Springfield Road, east of State Route No. 83, and west of Carmody Road; and that part of the Town of East Longmeadow lying south of Springfield Road, north and west of Hampden Road, and east of State Route No. 83.

(ii) That part of the Town of Hampden lying south of Carmody Road, north of State Route No. 83, east of Hampden Road, and west of Wilbraham Road.

(iii) That part of the City of Springfield lying north of U. S. Route No. 20, south of Piper Cross and Morgan Roads, west of Westfield Road, and east of U. S. Route No. 5.

(iv) The Town of Tolland.

(v) That part of the City of West Springfield lying south of U. S. Route No. 202 and State Route No. 10, north and east of U. S. Route No. 20, and west of the Connecticut River.

(5) All of Middlesex County except the following:

(i) The Town of Ashby.

(ii) That part of the Town of Ashland lying east of Oak Street, south of Oregon Street, and northeast of Winter Street.

(iii) That part of the Town of Bedford lying south and west of Spring Brook, north of Page Road, and east of Springs Road; and that part of the Town of Bedford lying east of Crosby Road and the Shawsheen River, south of the Middlesex Turnpike, and north of State Route No. 62.

(iv) That part of the Town of Billerica lying northeast of U. S. Route No. 3, and northwest of Andover Road; that part of the Town of Billerica lying south of Dudley Road and west of Concord Road; that part of the Town of Billerica lying east of Lexington Road and southwest of U. S. Route No. 3; that part of the Town of Billerica lying east of Treble Cove Road, north of State Route No. 4, west of the Concord River, and south of U. S. Route No. 3; that part of the Town of Billerica lying south of Andover Road, north of Webb Brook Road, east of Boston Road, and west of Allen Road; and that part of the Town of Billerica lying south of Bridge Road, north of River Street, east of Treble Cove Road, and west of U. S. Route No. 3.

(v) That part of the Town of Boxboro lying south of State Route No. 111.

(vi) That part of the Town of Burlington lying southwest of U. S. Route No. 3, southeast of Francis Wyman Road, and north of Bedford Street; that part of the Town of Burlington lying southeast of Dug Way, northeast of Winn Street, and northwest of Peach Orchard Road; and that part of the Town of Burlington lying west of Middlesex Turnpike and north of Adams Street.

(vii) The Town of Carlisle.

(viii) The Town of Chelmsford.

(ix) That part of the Town of Concord lying north of Main Street, southeast of Marlborough Road, and southwest of State Route No. 2; and that part of the Town of Concord lying south of Laws Brook Road, north of the Boston and Maine Railroad, east of Old Stone Road, and west of Central Street.

(x) That part of the Town of Dracut lying east of Gumpas Avenue and west of Mammoth Road; that part of the Town of Dracut lying west and south of Lakeview Avenue from the Lowell town line to the Tyngsboro town line; that part of the Town of Dracut lying south of Marsh Hill Road, north and west of State Route No. 113, and east of State Route No. 38; and that part of the Town of Dracut lying south and east of Cross Street to State Routes No. 38 and No. 113, and north and west of Hildrith Street to Pelham Brook.

(xi) That part of the Town of Framingham lying south and west of Indian Head Road, east of Prospect Street, and north of State Route No. 9.

(xii) That part of the Town of Holliston lying south of Central Street, west of Fisk Street, and east of Norfolk Street; that part of the Town of Holliston lying southeast of State Route No. 16, southwest of the New York Central Railroad, and north of Woodland and Lowell Streets; that part of the Town of Holliston lying north of Prentice Street, south of Mill Street, and west of North Mill Street; and that part of the Town of Holliston lying north of Underwood Street, south of Prentice Street, east of Marshall Street, and west of Chamberlain Street.

(xiii) That part of the Town of Hopkinton lying east of Front Street, southeast of Mill Street, and northwest of Ash Street; and that part of the Town of Hopkinton lying north of Main Street and east of Cedar Street.

(xiv) That part of the Town of Hudson lying west of Chapin Street, and northwest of Brigham Street and the Assabet River; and that part of the Town of Hudson lying northwest of State Route No. 62 and northeast of Cox Street and Cemetery Road.

(xv) That part of the Town of Lexington lying west of Westview Road and south of State Routes No. 4 and No. 25; and that part of the Town of Lexington lying south of Moreland Avenue, west of Pleasant Street, east of Meadowbrook Avenue, and north of State Route No. 2.

(xvi) That part of the Town of Lincoln lying north of State Route No. 2, south of State Route No. 2A, east of Bedford Road, and west of Mill Street.

(xvii) That part of the Town of Marlboro lying south of Robin Hill Road, east of Millham Road, west of Bigelow Street, and north of Elm Street.

(xviii) That part of the Town of North Reading lying north of State Route No. 62 and east of State Route No. 28.

(xix) That part of the Town of North Wilmington lying east of Andover and Woburn Streets and north of Park Street.

(xx) The Town of Pepperell.

(xxi) The Town of Reading.

(xxii) The Town of Shirley.

(xxiii) That part of the Town of Stow lying south of State Route No. 117, west of Athens Road, and north of Bolton Road; and that part of the Town of Stow lying south of State Route No. 117, north of Walcott Street, west of Hudson Street, and east of Athens Street.

(xxiv) That part of the Town of Sudbury lying south of Lincoln Road, north and west of Water Street, and east of Concord Road; that part of the Town of Sudbury lying north of State Route No. 117, east of Dakin Road, and west of the Old Colony Railroad; that part of the Town of Sudbury lying south of Concord Road, north of Lincoln Road, west of Corner Road, and east of Old Marlboro Road; and that part of the Town of Sudbury lying north of the Boston and Maine Railroad, east of Horse Pond Road, southeast of Peakham Road, and west of the Old Colony Railroad.

(xxv) That part of the Town of Tewksbury lying northwest of the Shawsheen River, northeast of State Route No. 38, and south of Salem Street; and that part of the Town of Tewksbury lying south of East Street, north of North Street, east of State Route No. 38, and west of Maple Street.

(xxvi) The Town of Tynaboro.

(xxvii) That part of the City of Waltham lying east of Wyman Street, south and west of Lincoln Street, and north of Winter Street.

(xxviii) That part of the Town of Wayland lying north of Thompson Street, west of Rice Road, east of Loker Road, and south of Old Connecticut Path.

(xxix) That part of the Town of Westford lying south and west of State Route No. 25;

and that part of the Town of Westford lying north of Groton Road and State Route No. 40.

(xxx) That part of the Town of Weston lying south of U. S. Route No. 20, west of School Street, north of Chestnut and Wellesley Streets, and east of Golden Ball Road and Chestnut Street; and that part of the Town of Weston lying north of U. S. Route No. 20.

(xxxi) That part of the Town of Wilmington lying north of Salem Street, northwest of State Route No. 62, west of Ballardvale Street, southwest of the Salem and Lowell Branch of the Boston and Maine Railroad, and east of the Portland Division of the Western Branch of the Boston and Maine Railroad; that part of the Town of Wilmington lying northeast of State Route No. 38, west of the Wilmington Branch of the Boston and Maine Railroad, and south of Salem Street; that part of the Town of Wilmington lying east of the Wilmington Branch of the Boston and Maine Railroad, west of the Portland Branch of the Boston and Maine Railroad, and north of Salem Road; and that part of the Town of Wilmington lying east of Woburn Street, north of Concord Road, and south of Park Street.

(xxxii) That part of the City of Woburn lying south of Putnam Street, north of University Street, east of Middle Street, and west of Ohio Street, and that part of the City of Woburn lying north of Russell Street and west of Cambridge Road.

(xxxiii) That part of the Town of Ashland lying south of Tri Street, west of State Route No. 126, north of Eliot Street, and east of Cedar Street.

(6) All of Norfolk County except the following:

(i) That part of the Town of Avon lying northeast of Central Street and northwest of Pond Street and State Route No. 28.

(ii) That part of the Town of Bellingham lying north of Farm Street and west of Hartford Street.

(iii) That part of the Town of Canton lying south of Randolph Street, east of York Street, north of Willow Street, and west of Old Randolph Street; and that part of the Town of Canton lying south of Randolph and Washington Streets, east of Pleasant Street, and west of State Route No. 138.

(iv) That part of the Town of Dedham lying southeast of State Route No. 109 and northwest of U. S. Route No. 1.

(v) That part of the Town of Dover lying south of Powisset Street, east of Walpole Street, and north of Hartford Street.

(vi) That part of the Town of Foxboro lying east of Central Street, south of Spring Street, and west of Belcher Street; and that part of the Town of Foxboro lying south of Chestnut Street, north and west of Mechanic Streets, and east of Main Street.

(vii) That part of the Town of Holbrook lying south of State Route No. 139.

(viii) That part of the Town of Norfolk lying west of Massapoag Avenue and south and east of Mansfield Street; and that part of the Town of Norfolk lying south of the Midland Division of the New York, New Haven and Hartford Railroad, north of State Route No. 1-A, and east of State Route No. 115.

(ix) The Town of Norwood.

(x) That part of the Town of Plainville lying south of Warren Street, east of High and Hawkins Streets, and west of West Bacon Street.

(xi) That part of the Town of Randolph lying east of High Street, north of Chestnut Street, west of Overlook Road, and south of Canton Street.

(xii) That part of the Town of Sharon lying north of Main Street; and that part of the Town of Sharon lying south of Morse Street, east of Massapoag Avenue, and west of Mountain Street.

(xiii) That part of the Town of South Bellingham lying south and east of Pulaaki Boulevard.

(xiv) The Town of South Walpole.

(xv) The Town of Walpole.

(xvi) The Town of Wellesley.

(xvii) The Town of Westwood.

(xviii) That part of the Town of Wrentham lying north of State Route No. 11 and south of State Route No. 140; that part of the Town of Wrentham lying south and east of State Route No. 11 and west of U. S. Route 1-A; that part of the Town of Wrentham lying south of State Route No. 140, east of State Route No. 1-A, and west of U. S. Route No. 1; and that part of the Town of Wrentham lying north of State Route No. 140 and west of State Route No. 1-A.

(xix) The Town of Stoughton.

(7) All of Plymouth County except the following:

(i) That part of the Town of Abington lying south of Randolph Street, north of Rockland Street, west of Bedford Street, and east of Hancock Street.

(ii) That part of the Town of Bridgewater lying southwest of Winter Street, north of Auburn Street, and east of Beaver Street; that part of the City of Bridgewater lying north of Flagg Street, southwest of Conant Street, and southeast of Summer Street; and that part of the Town of Bridgewater lying south of Flagg and Auburn Streets, north and west of the Taunton River, and east of State Route No. 28.

(iii) That part of the Town of Brockton lying south of East Ashland Street, north of Court Street, and east of North Quincy Street; and that part of the Town of Brockton lying south of Edson Street, north of Plain Street, east of Summer Street, and west of East Street.

(iv) That part of the Town of Carver lying north of High Street, west of Plympton Road, and east of Brook Street.

(v) That part of the Town of Halifax lying south of Haywood Street and east of South Street; and that part of the Town of Halifax lying north and east of Wood Street, west of South Street, and south of River Street.

(vi) That part of the Town of Hanson lying north of Main Street, east of Washington Street, south of Holmes Street, and west of Phillips Street.

(vii) That part of the Town of Lakeville lying east of State Route No. 105, southwest of Baughn Street, and north of the Assawomset Lake.

(viii) That part of the Town of Mattapoisett lying south of Aucoot Road, west of Peasepoint Road, and east of Bowman Road.

(ix) That part of the Town of Middleborough lying south of Smith Street, east of the New York, New Haven and Hartford Railroad, west of State Route No. 28, and north of Spruce Street; that part of the Town of Middleborough lying south of Plymouth Street, north of Centre Street, east of Vernon Street, and west of Pleasant Street; and that part of the Town of Middleborough lying west of Pleasant Street, east of Vernon Street and the Poquoy River, north of Mill and Clay Streets, and south of Centre Street.

(x) The Town of Norwell.

(xi) That part of the Town of Plymouth lying south of Stafford Street, north of Newfield Street, east of Summer Street, and west of Birch Avenue.

(xii) That part of the Town of Plympton lying south of County Road and northwest of Maple Street; and that part of the Town of Plympton lying south of Ring Road, north of Brook Street, and east of Upland Road.

(xiii) That part of the Town of Rochester lying east of the Mattapoisett-Rochester Road and south of New Bedford Road and State Route No. 105; that part of the Town of Rochester lying south of State Route No. 105, north of Perry Hill Road, west of Her-

ring Run River, and east of Cushman Road; and that part of the Town of Rochester lying east of Vaughns Hill Road, south of Hartlet Road, west of Mendall Road, and north of Taunton Road.

(xiv) That part of the Town of Rockland lying south of Summer Street and east of Beach Street; and that part of the Town of Rockland lying south of Forest Street, west of Union Street, and east of Weymouth Street.

(xv) That part of the City of West Bridgewater lying northeast of State Route No. 28 and southwest of Ash Street.

(8) All of Worcester County except the following:

(i) The Town of Ashburnham.

(ii) That part of the Town of Blackstone lying west of Mendon Street and north and east of Chestnut Street; that part of the Town of Blackstone lying north of Lincoln and Orchard Streets, south of Town Farm Road and Chestnut Street, and west of Meadow Street; and that part of the Town of Blackstone lying northwest of Hill and Grove Streets and south and east of Hill Street.

(iii) That part of the Town of Boylston lying south of Green Street, north of Rocky Pond Road, and east of Warren Street.

(iv) That part of the Town of Fitchburg lying north of Westminster Road, south of MacIntyre Road, east of Alpine Road, and west of Williams Street.

(v) The Town of Gardner.

(vi) That part of the Town of Grafton lying east of State Routes No. 140 and No. 30; and that part of the Town of Grafton lying north of Follett Street, south of Millbury Street, and west of Fitzpatrick Street.

(vii) That part of the Town of Harvard lying southeast of Old Mill Road, north of Pinhill Road, and west of Ayer Road.

(viii) That part of the Town of Mendon lying north of Bellingham Road and south and east of Hartford Avenue East.

(ix) The Town of Milford.

(x) That part of the Town of Millville lying north, east, and south of Hill Street and west of Grove Street; and that part of the Town of Millville lying southwest of State Route No. 122 and east of Chestnut Street.

(xi) That part of the town of Oxford lying south of State Route No. 12.

(xii) That part of the Town of Sturbridge lying north of Cooper Road, east of Arnold Road, and west of Brookfield Road.

(xiii) That part of the Town of Sutton lying south of Boston Road, north of State Route CD-320, east of Singletary Avenue, and west of State Route No. 146; and that part of the Town of Sutton lying southeast of Pitman Hill Road, north of Central Street, and west of Uxbridge Road.

(xiv) The Town of Templeton.

(xv) That part of the Town of Westboro lying north of State Route No. 9.

(1) Rhode Island: (1) Bristol and Kent Counties.

(2) All of Providence County except the following:

(i) That part of the Town of Cranston lying east of Pippin Orchard Road, west of Seven Mile Road, north of Plainfield Pike, and south of Scituate Avenue.

(ii) That part of the Town of Johnston lying east of Simmons Avenue, northwest of Scituate Avenue, and south of Simmons Lake.

(iii) That part of the Town of Scituate lying west of Matteson Road, south of Hope Furnace Road, east of Burnt Hill Road, and north of Tunk Hill Road.

Effective date. The foregoing amendment shall become effective upon issuance.

The Town of Manchester in Hartford County in Connecticut was previously

included within the areas in which vesicular exanthema has been found to exist and in which a quarantine has been established. This amendment includes the remainder of Hartford County within such areas. Hereafter, the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636, as amended), will apply to Hartford County in Connecticut.

The amendment excludes certain areas in Arkansas, California, Massachusetts, and Rhode Island from the areas in which vesicular exanthema has been found to exist and in which a quarantine has been established. Hereafter, the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636, as amended), will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas contained in said Subpart B, as amended, will apply thereto.

The amendment imposes certain further restrictions necessary to prevent the spread of vesicular exanthema, a contagious, infectious, and communicable disease of swine, and relieves certain restrictions presently imposed. The amendment must be made effective immediately to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 2, 32 Stat. 792, as amended, sec. 1, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 120, 111, 123, 125. Interprets or applies sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117.)

Done at Washington, D. C., this 19th day of March 1954.

[SEAL]

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 54-2116; Filed Mar. 24, 1954;
8:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 22]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

AIR TAXI OPERATOR CERTIFICATE

The purpose of this supplement is to list by section number the provisions of Part 42 of this subchapter and Civil Aeronautics Manual 42, and provide additional regulations which are applicable to the certification and operation

of air taxi service. The proposed rules were published on December 12, 1953, in 18 F. R. 8182; interested persons were afforded an opportunity to submit data, views, or arguments; and consideration has been given to all relevant matter presented. The following rules and interpretations are hereby adopted:

§ 42.0-2 Provisions of this part which are applicable to air taxi operators (CAA interpretations which apply to § 42.0 and SR-395).

(a) Under SR-395, the following sections of the certification and operation rules of this part apply to air taxi operators:

- 42.0 Applicability of this part. (a).
- 42.1 Definitions. (a) (2), (4), (5), (6), (7), (12a), (13), (14), (15), (20), (21), (22), (23), (24), (27), (28), (29), (30), (32), (33).
- 42.5 Certificate issuance.
- 42.7 Display.
- 42.8 Inspection.
- 42.11 Aircraft required.
- 42.14 Minimum performance requirements for all aircraft.
- 42.16 Aircraft limitations for IFR and land aircraft over water operations.
- 42.21 Basic required instruments and equipment for aircraft.
- 42.24 First aid and emergency equipment.
- 42.25 Cockpit check list.
- 42.26 Supplemental oxygen.
- 42.28 Equipment standards.
- 42.29 Protective breathing equipment for the flight crew. (b).
- 42.30 General. (Maintenance requirements).
- 42.31 Inspections and maintenance. (a) (2), (b).
- 42.40 Airman requirements.
- 42.41 Composition of flight crew. (a), (b), (c).
- 42.42 Pilot qualification for small aircraft.
- 42.44 Recent flight experience requirements for flight crew members.
- 42.46 Logging flight time.
- 42.47 Grace period for airman periodic checks.
- 42.51 Pilot responsibilities.
- 42.52 Fuel supply. (a) (1), (3), (b).
- 42.53 Minimum flight altitude rules.
- 42.54 Flight into known icing conditions.
- 42.55 Weather minimums.
- 42.56 Instrument approach.
- 42.57 Airport lighting for night operations.
- 42.58 Navigational aids for IFR flight.
- 42.59 Passenger use of emergency equipment.
- 42.63 Flight manifest for large aircraft and passenger-carrying aircraft operating under IFR conditions.
- 42.91 Maintenance records.
- 42.92 Airman records.
- 42.93 Emergency flight reports.
- 42.94 Pilot's emergency deviation report.
- 42.95 Flight manifest record.
- 42.96 Reporting of malfunctioning and defects.

(b) The following sections of CAM 42 are applicable to the provisions of this part listed in paragraph (a):

- 42.1-1 Flight time (CAA interpretations which apply to § 42.1 (a) (14)).
- 42.1-2 Twilight (CAA interpretations which apply to § 42.1 (a) (20)).
- 42.11-1 Listing of aircraft (CAA rules which apply to § 42.11). (a).
- 42.21-1 Seats and safety belts (CAA rules which apply to § 42.21 (a) (11)).
- 42.21-2 Fire extinguishers (CAA rules which apply to § 42.21 (a) (12)).
- 42.21-3 Altimeter (CAA policies which apply to § 42.21 (b) (1)).
- 42.24-1 First-aid and emergency equipment (CAA policies which apply to § 42.24).

42.24-2 First-aid kit (CAA rules which apply to § 42.24 (a)).

42.24-4 Emergency equipment (CAA rules which apply to § 42.24 (b)).

42.25-1 Cockpit check list (CAA policies which apply to § 42.25).

42.25-2 Minimum standard cockpit check list (CAA policies which apply to § 42.25).

42.30-1 General (Maintenance) (CAA policies which apply to § 42.30).

42.31-2 Maintenance and inspection—small aircraft (CAA policies which apply to § 42.31 (a) (2)).

42.31-3 Maintenance and inspection; all aircraft (CAA policies which apply to § 42.31 (a) (1) and (2)). (e) (1), (2).

42.31-4 Maintenance and inspection records (CAA policies which apply to § 42.31 (b)).

42.51-1 Responsibilities of the pilot in command (CAA policies which apply to § 42.51).

42.51-2 Time of reporting for duty (CAA policies which apply to § 42.51 (b)).

42.51-3 Flight equipment (CAA policies which apply to § 42.51 (c)).

42.51-4 Serviceability of equipment (CAA policies which apply to § 42.51 (e)).

42.53-3 Operation in the territory of Alaska (CAA policies which apply to § 42.52 (b)).

42.54-1 Other parts of the aircraft (CAA interpretations which apply to § 42.54).

42.55-1 En route weather minimums (CAA interpretations which apply to § 42.55 (a)).

42.55-2 Air traffic clearance (CAA interpretations which apply to § 42.55 (a)).

42.56-1 Standard instrument approach procedures (CAA rules which apply to § 42.56).

42.57-1 Minimum facilities (CAA policies which apply to § 42.57).

42.58-1 Off-airway instrument operation (CAA rules which apply to § 42.58).

42.62-1 Content of flight manifest (CAA policies which apply to § 42.62).

42.91-1 Content of maintenance records (CAA policies which apply to § 42.91).

42.91-3 Retention of records (CAA policies which apply to § 42.91).

42.92-1 Content of airman records (CAA policies which apply to § 42.92).

42.92-2 Availability of records (CAA policies which apply to § 42.92).

42.92-3 Retention of records (CAA policies which apply to § 42.92).

42.93-1 Submission of emergency flight reports (CAA policies which apply to § 42.93).

42.94-1 Submission of pilot's emergency deviation report (CAA policies which apply to § 42.94).

(c) In addition to the items listed in paragraph (a) and (b) of this section, air taxi operators are governed by the following regulations:

- (1) Economic Regulations Part 298.
- (2) Economic Regulations Part 242, if aircraft having more than five passenger seats are used.

§ 42.0-3 Operations for which an air taxi operator certificate is not required. (CAA interpretations which apply to § 42.0 and SR-395). The following operations which may involve remuneration are not considered as coming within the meaning of carriage by aircraft of persons or property as an air taxi operator:

- (a) Student instruction.
- (b) Local sightseeing flights which return to the point of departure without landing at other points.
- (c) Any crop dusting, spraying, seeding, pest control, or other agricultural operations.

(d) Any industrial aviation operations such as patrol, photography, banner towing, etc.

(e) Any other aviation operation when the carriage of persons or materials is incidental to the main purpose of the flight.

§ 42.5-5 *Application for an air taxi operator certificate (CAA rules which apply to § 42.5 and SR-395).* (a) Application for an Air Taxi Operator Certificate shall be made in triplicate on Form ACA-1602, provided for this purpose by the Administrator. The application form may be obtained by contacting the local Aviation Safety Agent or District Office. When the requirements, as prescribed in this part, have been met (see § 42.0-2), the applicant shall present his application to the local Aviation Safety Agent and arrange for an inspection of his flight equipment and all ground facilities.

(b) Where inspection indicates that the applicant is capable of conducting the proposed operation in accordance with the provisions of § 42.0-2, an Air Taxi Operator Certificate, Form ACA-1603, will be issued, together with operations specifications. The operations specifications which have been approved on the application form become a part of the certificate and specify the carriage of passengers, cargo, or both; the category and class of aircraft (e. g., aircraft single-engine land); and the flight conditions under which operations are authorized (e. g., VFR day, VFR night, IFR day, IFR night).

§ 42.5-6 *Amendment and reissuance of air taxi operator certificates (CAA rules which apply to § 42.5).* (a) Application for amendment and reissuance of an air taxi operator certificate shall be made, in accordance with procedure for original issuance, when the operator desires a change in:

- (1) Name or address of operator.
- (2) Ownership.
- (3) Area of operations.
- (4) Base of operations.
- (5) Type of operations.

(b) In cases of paragraph (a) (1), (2), and (3) of this section the agent may elect to inspect the aircraft as for original issuance.

(c) In cases set forth in paragraph (a) (4) of this section the agent may elect to inspect the aircraft if the base of operations is not moved out of the region of previous certification. Inspection will be made and a new certificate and number will be issued when the base is moved to another region.

(d) In cases set forth in paragraph (a) (5) of this section, inspection as for original issuance will be made.

§ 42.11-2 *Listing of small aircraft (CAA interpretations which apply to § 42.11).* An air taxi operator is required to have the exclusive use of at least one aircraft. However, such aircraft are not required to be listed on the operations specifications of air carrier operating certificates issued to air taxi operators. Therefore, no amendment of the certificate is required when an air taxi operator changes aircraft.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 531)

This supplement shall become effective April 1, 1954.

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54-2077; Filed, Mar. 24, 1954;
8:45 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter I—Irrigation Projects; Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

MARCH 19, 1954.

On February 18, 1954, there was published in the daily issue of the *FEDERAL REGISTER* notice of intention to amend §§ 130.16 and 130.17 of the Title 25, Code of Federal Regulations, dealing with irrigable lands of the Flathead Indian Irrigation Project not subject to the jurisdiction of the several irrigation districts. Interested persons were thereby given opportunity to participate in preparing the amendments by submitting data or written arguments within 30 days from the date of publication of the notice. No objections were submitted. Accordingly §§ 130.16 and 130.17 are amended as follows, to be effective for the season of 1954 and thereafter until further order.

§ 130.16 *Charges, Jocko Division.* (a) An annual minimum charge of \$2.05 per acre, for the season of 1954 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization, regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available will be delivered at the rate of one dollar and thirty-seven cents (\$1.37) per acre foot or fraction thereof.

§ 130.17 *Charges, Mission Valley and Camas Divisions.* (a) (1) An annual minimum charge of \$2.64 per acre, for the season 1954 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and seventy-six cents (\$1.76) per acre foot or fraction thereof.

(b) (1) An annual minimum charge of \$2.26 per acre, for the season of 1954 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and fifty-one cents (\$1.51) per acre foot or fraction thereof.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

Amendment to order dated April 16, 1953 (17 F. R. 3146) signed by Paul L. Fickinger, Area Director.

F. M. HAVERLAND,
Acting Area Director.

[F. R. Doc. 54-2078; Filed, Mar. 24, 1954;
8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6047]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DISTILLERS CORPORATION-SEAGRAMS, LTD., ET AL.

Subpart—Combining or conspiring: § 3.410 To eliminate or restrain competition in conspirators' goods; § 3.425 To enforce or bring about resale price maintenance; § 3.430 To enhance, maintain or unify prices. Subpart—Dealing on exclusive and tying basis: § 3.670 Dealing on exclusive and tying basis. Subpart—Maintaining resale prices: § 3.1130 Contracts and agreements. I. In or in connection with the offering for sale, sale, or distribution in commerce of alcoholic beverages, and on the part of respondent Joseph E. Seagram & Sons, Inc., and twelve other corporations, entering into, cooperating in, carrying out, or continuing any combination, conspiracy, cooperation or planned common course of action between any two or more of said respondents engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, or between any one or more of said respondents and any wholly or partly owned subsidiary or affiliated concern not a party, engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, to (1) raise, fix, stabilize, or maintain prices; (2) discuss, confer or exchange information for the purpose or with the effect of establishing or maintaining prices, terms, or conditions of sale, or of securing adherence to prices, terms, or conditions of sale; (3) exchange information with or meet with any retail liquor dealer or with any representative of any

retail liquor dealer association, or others for the purpose or with the effect of reaching agreement as to the employment of any resale price maintenance contract or arrangement, of adjusting, or increasing resale prices after tax rate changes, or of reaching agreement as to the use of any resale price maintenance contract or arrangement as a means of raising, fixing, stabilizing, or maintaining prices; (4) use common directors or officers as a means of raising, fixing, stabilizing, or maintaining prices; and (5) enter into any resale price maintenance contract or arrangement, or police, enforce, or attempt to police or enforce any such contract or arrangement; and, II, effecting or maintaining any condition, agreement, contract, understanding, or arrangement, express or implied, on the part of each of said respondents, providing that any distributor or any other purchaser shall be required to give notice in advance of dealing in any alcoholic beverage product produced or sold by any competitor or competitors of respondents; prohibited, subject to the provision, however, that nothing contained in the order shall be construed to limit or otherwise affect any right with respect to resale price maintenance contracts or arrangements which any of the respondents may have under section 5 of the Federal Trade Commission Act as amended by the McGuire Act (Public Law 542, 82d Cong., Chap. 745, 2d Sess., Approved July 14, 1952); and subject to the further proviso that if, as a result of any valid statute or regulation of any state, territory, or possession or subdivision thereof, adopted pursuant to the Twenty-first Amendment to the Constitution of the United States, relating to the offering for sale, sale, or distribution of alcoholic beverages, respondents, or any of them, or one or more of their wholly or partly owned subsidiaries or affiliated concerns, as a condition of doing business in said state, territory, possession or subdivision thereof, engage in acts or practices which, upon a prima facie showing on the record (not overcome by answer) may be construed by the Federal Trade Commission as violating any provision of the foregoing order, the Commission agrees that it will reopen the order solely for the purpose of determining whether to alter, modify, or set aside such provision and that it will suspend such provision of the order, pending disposition of the issue as to whether such provision should be altered, modified, or set aside, it being further provided in the aforesaid connection that said proviso shall be without prejudice to, and that nothing therein contained shall be construed to limit or otherwise affect, any defense which might otherwise be available to any respondent, in any proceeding to enforce the foregoing order or based on an alleged violation thereof.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, Distillers Corporation-Seagrams, Ltd., et al., Montreal, Canada, Docket 6047, Mar. 2, 1954]

In the Matter of Distillers Corporation-Seagrams, Ltd., a Corporation, and Its Subsidiaries: Joseph E. Seagram & Sons, Inc., a Corporation, and Its Subsidiaries: Seagram Distillers Corporation, a Corporation, and Its Subsidiary: Distillers Products Sales Corporation, a Corporation, Seagram, Inc., a Corporation, and Its Subsidiaries: Frankfort Distilleries, Incorporated, a Corporation, and Its Subsidiary: Frankfort Distillers Corporation, a Corporation, Distillers Warehouses, Inc., a Corporation, and Its Subsidiary: Paul Jones and Company, Inc., a Corporation, William Jameson & Company, Inc., a Corporation, Hunter-Wilson Distilling Co., Inc., a Corporation, Gallagher & Burton, Inc., a Corporation, Carstairs Bros. Distilling Co., Inc., a Corporation, and Its Subsidiary: Carstairs Distillers Corporation, a Corporation, The Calvert Distilling Co., a Corporation, and Its Subsidiaries: Calvert Distilleries Corporation, a Corporation, Julius Kessler Distilling Co., Inc., a Corporation, Browne-Vintners Co., Inc., a Corporation, Distillers Distributing Corporation, a Corporation, Seagram Sales Corporation, a Corporation, Sea-Cal-Frank Corporation, a Corporation, The Pharma-Craft Corporation, a Corporation

This proceeding was instituted by complaint which charged respondents with the use of unfair methods of competition and/or unfair acts and practices in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, subject to the exception below set forth, through the consent settlement procedure provided in Rule V of the Commission's rules of practice, as announced by the Commission's "Notice", dated March 8, 1954, as follows:

Counsel supporting the complaint having stated that evidence is not available to support the allegations of the complaint other than those covered by the consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, the said consent settlement was accepted by the Commission on March 2, 1954 and ordered entered of record as the Commission's findings as to the facts,¹ conclusion,¹ and order in disposition of this proceeding.

Said order, thus entered of record, following the findings as to the facts and conclusion, reads as follows:

It is ordered, That the respondents, Joseph E. Seagram & Sons, Inc., a corporation, Seagram Distillers Corporation, a corporation, Distillers Products Sales Corporation, a corporation, Frankfort Distilleries, Incorporated, a corporation, Frankfort Distillers Corporation, a corporation, Paul Jones and Company, Inc., a corporation, Hunter-Wilson Distilling Co., Inc., a corporation, Gallagher & Burton, Inc., a corporation, Carstairs Bros. Distilling Co., Inc., a corporation, The Calvert Distilling Co., a corporation, Calvert Distillers Corporation, a corporation, Julius Kessler Distilling Co., Inc.,

a corporation, and Distillers Distributing Corporation, a corporation, directly or indirectly, through their officers, agents, representatives or employees, in or in connection with the offering for sale, sale or distribution in commerce between and among the several States of the United States and in the District of Columbia, of alcoholic beverages, do forthwith cease and desist from entering into, cooperating in, carrying out or continuing any combination, conspiracy, cooperation or planned common course of action between any two or more of said respondents engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, or between any one or more of said respondents and any wholly or partly owned subsidiary or affiliated concern not a party hereto, engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, to do or perform any of the following acts or things:

(1) Raise, fix, stabilize or maintain prices;

(2) Discuss, confer or exchange information for the purpose or with the effect of establishing or maintaining prices, terms or conditions of sale, or of securing adherence to prices, terms or conditions of sale;

(3) Exchange information with or meet with any retail liquor dealer or with any representative of any retail liquor dealer association, or others for the purpose or with the effect of reaching agreement as to the employment of any resale price maintenance contract or arrangement, of adjusting or increasing resale prices after tax rate changes, or of reaching agreement as to the use of any resale price maintenance contract or arrangement as a means of raising, fixing, stabilizing or maintaining prices;

(4) Use common directors or officers as a means of raising, fixing, stabilizing or maintaining prices;

(5) Enter into any resale price maintenance contract or arrangement, or police, enforce, or attempt to police or enforce any such contract or arrangement.

It is further ordered, That each of the respondents, directly or indirectly, through its officers, agents, representatives or employees, do forthwith cease and desist from effecting or maintaining any condition, agreement, contract, understanding or arrangement, express or implied, providing that any distributor or any other purchaser shall be required to give notice in advance of dealing in any alcoholic beverage product produced or sold by any competitor or competitors of respondents.

Provided, That nothing herein contained shall be construed to limit or otherwise affect any right with respect to resale price maintenance contracts or arrangements which any of the respondents may have under section 5 of the Federal Trade Commission Act as amended by the McGuire Act (Public Law 542, 82d Cong., Chap. 745, Second Session, Approved July 14, 1952).

Provided further, That if, as a result of any valid statute or regulation of any state, territory, or possession or subdivi-

¹ Filed as part of the original document.

sion thereof, adopted pursuant to the Twenty-first Amendment to the Constitution of the United States, relating to the offering for sale, sale or distribution of alcoholic beverages, respondents, or any of them, or one or more of their wholly or partly owned subsidiaries or affiliated concerns, as a condition of doing business in said state, territory, possession or subdivision thereof, engage in acts or practices which, upon a prima facie showing on the record herein (not overcome by answer) may be construed by the Federal Trade Commission as violating any provision of the foregoing order, the Commission agrees that it will reopen this order solely for the purpose of determining whether to alter, modify or set aside such provision and that it will suspend such provision of this order, pending disposition of the issue as to whether such provision should be altered, modified or set aside. This proviso shall be without prejudice to, and nothing herein contained shall be construed to limit or otherwise affect, any defense which may otherwise be available to any respondent, in any proceeding to enforce the foregoing order or based on an alleged violation thereof.

It is further ordered, That Distillers Corporation-Seagrams, Ltd., a corporation, Seagram, Inc., a corporation, Distillers Warehouses, Inc., a corporation, William Jameson & Company, Inc., a corporation, Carstairs Distillers Corporation, a corporation, and the Pharmacraft Corporation, a corporation, are hereby dismissed from this proceeding; such dismissals are without prejudice.

It is further ordered, That Seagram Sales Corporation, a corporation, Seacal-Frank Corporation, a corporation, and Browne-Vintners Co., Inc., a corporation, are hereby dismissed from this proceeding. *Provided, however,* That the dismissal of these three corporations is without prejudice and is not to be construed in any sense as exempting said corporations from the application of any of the provisions of the order to cease and desist as are applicable to any concern wholly or partly owned or controlled by or affiliated with any one or more of the respondents herein.

It is further ordered, That the respondents shall, within twelve months after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: March 8, 1954.

By direction of the Commission.

[SEAL] ALEX. AKERMAN, JR.,
Secretary.

[P. R. Doc. 54-2104; Filed, Mar. 24, 1954;
8:52 a. m.]

[Docket 6048]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

SCHENLEY INDUSTRIES, INC., ET AL.

Subpart—Combining or conspiring:
§ 3.410 To eliminate or restrain competi-
tion in conspirators' goods; § 3.425 To

enforce or bring about resale price maintenance; § 3.430 To enhance, maintain or unify prices. Subpart—Maintaining resale prices: § 3.1130 Contracts and agreements. In or in connection with the offering for sale, sale, or distribution in commerce of alcoholic beverages, and on the part of respondent Schenley Industries, Inc., and four other corporations, entering into, cooperating in, carrying out or continuing any combination, conspiracy, cooperation or planned common course of action between any two or more of sale respondents engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, or between any one or more of said respondents and any wholly or partly owned subsidiary or affiliated concern not a party, engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, to (1) raise, fix, stabilize, or maintain prices; (2) discuss, confer or exchange information for the purpose or with the effect of establishing or maintaining prices, terms or conditions of sale, or of securing adherence to prices, terms, or conditions of sale; (3) exchange information with or meet with any retail liquor dealer or with any representative of any retail liquor dealer association, or others for the purpose or with the effect of reaching agreement as to the employment of any resale price maintenance contract or arrangement, of adjusting or increasing resale prices after tax rate changes, or of reaching agreement as to the use of any resale price maintenance contract or arrangement as a means of raising, fixing, stabilizing, or maintaining prices; (4) use common directors or officers as a means of raising, fixing, stabilizing, or maintaining prices; and (5) enter into any resale price maintenance contract or arrangement, or police, enforce, or attempt to police or enforce any such contract or arrangement; prohibited, subject to the provision, however, that nothing contained in the order shall be construed to limit or otherwise affect any right with respect to resale price maintenance contracts or arrangements which any of the respondents may have under section 5 of the Federal Trade Commission Act as amended by the McGuire Act (Public Law 542, 82d Cong., Chap. 745, 2d Sess., Approved July 14, 1952); and subject to the further proviso that if as a result of any valid statute or regulation of any State, Territory, or possession or subdivision thereof, adopted pursuant to the Twenty-first Amendment to the Constitution of the United States, relating to the offering for sale, sale, or distribution of alcoholic beverages, respondents, or any of them or one or more of their wholly or partly owned subsidiaries or affiliated concerns, as a condition of doing business in said state, territory, possession, or subdivision thereof, engage in acts or practices which, upon a prima facie showing on the record (not overcome by answer) may be construed by the Federal Trade Commission as violating any provision of the foregoing order, the Commission agrees that it will reopen the order solely for the purpose of determining whether to alter, modify, or set aside

such provision and that it will suspend such provision of the order, pending disposition of the issue as to whether such provision should be altered, modified, or set aside, it being further provided in the aforesaid connection that said proviso shall be without prejudice to, and that nothing therein contained shall be construed to limit or otherwise affect, any defense which might otherwise be available to any respondent in any proceeding to enforce the foregoing order or based on an alleged violation thereof.

(Sec. 5, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45.) [Cease and desist order, Schenley Industries, Inc., et al., New York, N. Y., Docket 6048, Mar. 2, 1954]

In the Matter of Schenley Industries, Inc., and the following of Its Subsidiaries: Schenley Distillers, Inc., a Corporation, Schenley Distributors, Inc., a Corporation, Melrose Distillers, Inc., a Corporation, Gibson Distillers, Inc., a Corporation, The Straight Whiskey Distilling Company of America, a Corporation, Three Feathers Distributors, Inc., a Corporation, Brandy Distillers Corporation, a Corporation, Bernheim Distilling Co., a Corporation

This proceeding was instituted by complaint which charged respondents with the use of unfair methods of competition and/or unfair acts and practices in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, subject to the exception below set forth, through the consent settlement procedure provided in Rule V of the Commission's rules of practice, as announced by the Commission's "Notice", dated March 8, 1954, as follows:

Counsel supporting the complaint having stated that evidence is not available to support the allegations of the complaint other than those covered by the consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, the said consent settlement was accepted by the Commission on March 2, 1954, and ordered entered of record as the Commission's findings as to the facts,¹ conclusion,¹ and order in disposition of this proceeding.

Said order, thus entered of record, following the findings as to the facts and conclusion, reads as follows:

It is ordered, That the respondents, Schenley Industries, Inc., a corporation, Schenley Distillers, Inc., a corporation, Schenley Distributors, Inc., a corporation, Melrose Distillers, Inc., a corporation, and Brandy Distillers Corporation, a corporation, directly or indirectly, through their officers, agents, representatives or employees, in or in connection with the offering for sale, sale or distribution in commerce between and among the several States of the United States and in the District of Columbia, of alcoholic beverages, do forthwith cease and desist from entering into, cooperating in, carrying out or continuing any combination, conspiracy, cooperation or planned common course of action

¹ Filed as part of the original document.

between any two or more of said respondents engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, or between any one or more of said respondents and any wholly or partly owned subsidiary or affiliated concern not a party hereto, engaged in competition in the sale of alcoholic beverages to persons other than those owned or controlled by any of the respondents, to do or perform any of the following acts or things:

(1) Raise, fix, stabilize or maintain prices;

(2) Discuss, confer or exchange information for the purpose or with the effect of establishing or maintaining prices, terms or conditions of sale, or of securing adherence to prices, terms or conditions of sale;

(3) Exchange information with or meet with any retail liquor dealer or with any representative of any retail liquor dealer association, or others for the purpose or with the effect of reaching agreement as to the employment of any resale price maintenance contract or arrangement, of adjusting or increasing resale prices after tax rate changes, or of reaching agreement as to the use of any resale price maintenance contract or arrangement as a means of raising, fixing, stabilizing or maintaining prices;

(4) Use common directors or officers as a means of raising, fixing, stabilizing, or maintaining prices;

(5) Enter into any resale price maintenance contract or arrangement, or police, enforce, or attempt to police or enforce any such contract or arrangement.

Provided, That nothing herein contained shall be construed to limit or otherwise affect any right with respect to resale price maintenance contracts or arrangements which any of the respondents may have under section 5 of the Federal Trade Commission Act as amended by the McGuire Act (Public Law 542, 82d Cong., Chap. 745, 2d Sess., Approved July 14, 1952).

Provided further, That if as a result of any valid statute or regulation of any state, territory or possession or subdivision thereof, adopted pursuant to the Twenty-first Amendment to the Constitution of the United States, relating to the offering for sale, sale or distribution of alcoholic beverages, respondents, or any of them or one or more of their wholly or partly owned subsidiaries or affiliated concerns, as a condition of doing business in said state, territory, possession or subdivision thereof, engage in acts or practices which, upon a prima facie showing on the record herein (not overcome by answer) may be construed by the Federal Trade Commission as violating any provision of the foregoing order, the Commission agrees that it will reopen this order solely for the purpose of determining whether to alter, modify or set aside such provision and that it will suspend such provision of this order, pending disposition of the issue as to whether such provision should be altered, modified or set aside. This proviso shall be without prejudice to, and nothing herein contained shall be con-

strued to limit or otherwise affect, any defence which may otherwise be available to any respondent in any proceeding to enforce the foregoing order or based on an alleged violation thereof.

It is further ordered, That Bernheim Distilling Co., a corporation, is hereby dismissed from this proceeding.

It is further ordered, That Gibson Distillers, Inc., a corporation, The Straight Whiskey Distilling Company of America, a corporation, and Three Feathers Distributors, Inc., a corporation, are hereby dismissed from this proceeding. *Provided, however*, That the dismissal of these three corporations is without prejudice and is not to be construed in any sense as exempting said corporations from the application of any of the provisions of the order to cease and desist as are applicable to any concern wholly or partly owned or controlled by or affiliated with any one or more of the respondents herein.

It is further ordered, That the respondents shall, within twelve months after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: March 8, 1954.

By direction of the Commission.

[SEAL] ALEX. AKERMAN, JR.,
Secretary.

[F. R. Doc. 54-2105; Filed, Mar. 24, 1954;
8:53 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes [T. D. 6065, Regs. 130]

PART 40—EXCESS PROFITS TAX; TAXABLE YEARS ENDING AFTER JUNE 30, 1950

TREATMENT OF TAXPAYER'S LIABILITY FOR INCOME AND EXCESS PROFITS TAX FOR PURPOSE OF DETERMINING EQUITY AND EQUITY INVESTED CAPITAL

On December 13, 1952, notice of proposed rule making to amend Regulations 130 (26 CFR Part 40) with respect to the accrual of income and excess profits tax liability for the purpose of determining equity capital under section 437 (c) of the Internal Revenue Code and equity invested capital under section 458 (d) of the Internal Revenue Code was published in the FEDERAL REGISTER (17 F. R. 11350). After consideration of all relevant matter presented by interested persons regarding the rules proposed, the amendments to Regulations 130 set forth below are hereby adopted.

PARAGRAPH 1. Section 40.437-5, as amended by Treasury Decision 5952, approved December 2, 1952, is further amended by redesignating paragraph "(c)" of such section as paragraph "(c) (1)", and by adding at the end thereof the following:

(2) In computing liabilities as of the beginning of the taxable year, a taxpayer keeping its books and making its

income tax returns on the accrual basis shall, in accordance with the principles applicable in the determination of earnings and profits, treat as a liability the Federal income and excess profits taxes imposed for the preceding taxable year. This rule is applicable whether or not such taxes were definite and ascertainable in amount at the close of the preceding year and whether or not such taxes were contested by the taxpayer. The provisions of the Excess Profits Tax Act of 1950 shall be taken into account for this purpose in determining the income and excess profits tax for taxable years ending after June 30, 1950. In general, changes in the Federal income and excess profits tax laws applicable to a taxable year, enacted after the close of such year, will be taken into account in determining liabilities if the last date prescribed for filing the return for such year is subsequent to the date of enactment of such changes.

PAR. 2. Section 40.458-4 is amended by striking the fourth sentence of (a) (1) and by inserting in lieu thereof the following: "In computing accumulated earnings and profits as of the beginning of the taxable year, a taxpayer keeping its books and making its income tax returns on the accrual basis shall, in accordance with the principles applicable in the determination of earnings and profits, subtract the Federal income and excess profits taxes imposed for the preceding taxable year. This rule is applicable whether or not such taxes were definite and ascertainable in amount at the close of the preceding year and whether or not such taxes were contested by the taxpayer. The provisions of the Excess Profits Tax Act of 1950 shall be taken into account for this purpose in determining the income and excess profits tax for taxable years ending after June 30, 1950. In general, changes in the Federal income and excess profits tax laws applicable to a taxable year, enacted after the close of such year, will be taken into account in determining earnings and profits if the last date prescribed for filing the return for such year is subsequent to the date of enactment of such changes."

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: March 19, 1954.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 54-2095; Filed, Mar. 24, 1954;
8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1471—ASSIGNMENT OF CONTRACTORS FOR RENEGOTIATION

HOW ASSIGNMENT IS MADE

Section 1471.2 *How assignment is made* is amended by deleting paragraph (d) in

its entirety and inserting in lieu thereof the following:

(d) Except in cases governed by paragraph (e) of this section, with respect to contractors whose receipts or accruals are wholly or predominantly under sub-contracts described in section 103 (g) (3) of the act, a Class A case will generally be one in which the contractor reports on the Standard Form of Contractor's Report that its aggregate of such receipts or accruals is \$50,000 or more and a Class B case will be one in which the contractor reports on the Standard Form of Contractor's Report that its aggregate of such receipts or accruals is less than \$50,000. Cases assigned on and after March 25, 1954, will be designated in accordance with the preceding sentence; cases previously assigned will generally be redesignated in accordance therewith upon request of a Regional Board if not already concluded by clearance notice, agreement or order, and if such redesignation is otherwise expedient.

(e) Notwithstanding the foregoing, to facilitate concurrent renegotiation of members of affiliated or related groups when not consolidated (see § 1464.10 of this subchapter), renegotiable members of any such group will generally all be designated at the time of assignment as Class A or Class B cases according to the proper designation of the member having the largest amount of profits from subject contracts for the fiscal year under review. This paragraph shall not apply when the members of the group have differing fiscal years.

(f) Any case initially designated as a Class A or a Class B case according to the amounts reported on the Standard Form of Contractor's Report may, but will not necessarily, be redesignated if further information developed after assignment establishes that the contractor's renegotiable profits, or its renegotiable receipts or accruals, as the case may be, are sufficiently larger or smaller than the amount reported, to make such redesignation appropriate.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: March 18, 1954.

GEORGE C. MCCONNAUGHEY,
Chairman.

[P. R. Doc. 54-2089; Filed, Mar. 24, 1954;
8:48 a. m.]

PART 1498—FORMS RELATING TO AGREEMENTS AND ORDERS

VARIATIONS IN FORM OF RENEGOTIATION AGREEMENT

Section 1498.2 (g) is amended by deleting in its entirety the agreement clause set forth in subparagraph (2) and inserting in lieu thereof the following:

It has been determined that the Contractor may realize additional profits not exceeding the sum of _____

(Margin to clearance level)

(\$_____.) Dollars without incurring any liability for excessive profits for the fiscal year under review. In the event that it is finally determined that the aggregate liability of the Contractor to the Government pursuant to the price adjustment provisions aforesaid, allocable to the fiscal year under review, exceeds the aggregate liability of the Government to the Contractor pursuant thereto, and if such net liability of the Contractor to the Government is less than the amount of the reserve hereinabove described, the difference between such two amounts shall represent the unused portion of the reserve, and the Contractor agrees that the amount by which the unused portion of the reserve exceeds said sum of _____

(Repeat amount last above stated) Dollars shall be deemed to be additional profits to be eliminated pursuant to the Act, and the Contractor agrees that it will pay to the Government an amount equal to the difference between the amount of any such additional profits and the amount of the tax credit, if any, provided by section 3806 of the Internal Revenue Code.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: March 19, 1954.

GEORGE C. MCCONNAUGHEY,
Chairman.

[P. R. Doc. 54-2090; Filed, Mar. 24, 1954;
8:48 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 50—CITY DELIVERY

PART 52—RURAL DELIVERY

MISCELLANEOUS AMENDMENTS

a. In § 50.23 *Private mail receptacles* (19 F. R. 558), insert the following as the third sentence of paragraph (b): "Carriers are not required to deliver

ordinary mail other than parcel post above the first floor."

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

b. Section 52.68 *Rural stations* is amended to read as follows:

§ 52.68 *Rural stations.* Rural stations shall be established and maintained when considered necessary to facilitate the transaction of postal business in communities where a considerable number of people would be seriously inconvenienced if required to transact postal business with rural carriers or star route carriers only, and where it is deemed inadvisable to establish post offices.

c. In § 52.78 *Patrons' boxes* amend paragraph (b) to read as follows:

(b) *Copies of specifications obtainable.* Copies of the specifications and drawings which may be used for guidance in the manufacture of standard mail boxes may be obtained on application to the Assistant Postmaster General, Bureau of Post Office Operations.

d. In § 52.80 *Manufacture and sale of boxes* make the following changes:

1. Amend paragraph (a) to read as follows:

(a) *Approval required.* Individuals, firms or companies proposing to manufacture rural delivery mail boxes for sale shall submit to the Assistant Postmaster General, Bureau of Post Office Operations, Division of Post Office Services, a full-sized sample box for examination. If the sample is approved, the manufacture and sale of the box will be authorized on condition that the manufacturer shall emboss or stamp in a conspicuous place on each box the words "Approved by the Postmaster General", and, inconspicuously, the name of the manufacturer.

2. Amend the list of concerns in paragraph (c) by changing "American Sheet Metal Works, Post Office Box 547, New Orleans 1, La." to read "American Metal Works, Inc., Post Office Box 547, New Orleans 1, La."

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] ABE MCGREGOR GOFF,
Solicitor.

[P. R. Doc. 54-2106; Filed, Mar. 24, 1954;
8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 965]

[Docket No. AO-166-A18-R02]

HANDLING MILK IN THE CINCINNATI, OHIO, MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Cincinnati, Ohio, on March 8, 1954, pursuant to notice thereof issued on March 1, 1954 (19 F. R. 1220).

The hearing conducted on March 8, 1954, was a second reopening of a hearing begun in October 1953. The material issues of record related to several aspects of the regulation in effect. Previous de-

cisions on the record have dealt with certain of these issues and several other issues are reserved for further consideration. This decision covers only the questions of (1) reconsideration of the seasonal application of the Class III and Class IV price formulas and revision of the butterfat differentials applicable in pricing Class III and Class IV milk to handlers, and (2) adoption of a service charge applicable to milk handled for the account of a bargaining cooperative as the result of the refusal, or release, of such milk by a proprietary handler. It

is determined that emergency action is required on these issues. It is concluded that the remaining issues, including the consideration of butterfat differentials applicable in pricing Class I and Class II milk and in making payments to producers, should not be decided under emergency procedure and should not delay action on the issues dealt with herein. Decision on such remaining issues therefore is reserved to a later date.

Rules on proposed findings and conclusions. Briefs were filed on the record. Such briefs contained proposed findings and conclusions with respect to the issues under consideration herein. To the extent that the findings and conclusions of this decision are at variance with such proposed findings and conclusions, the request to make such findings and conclusions is hereby denied.

Findings and conclusions. The following findings and conclusions on the issues decided herein are hereby made upon the basis of the record of the hearing:

(1) The application of the price formulas for Class III and Class IV milk should be further modified. The butterfat differentials for Class III and Class IV milk should be revised.

As the result of the first reopening of the hearing on January 28 and 29, 1954, the Class III and Class IV price formulas were modified, effective March 1, 1954, with the results that (1) the Class III price level was reduced 17.5 cents, and (2) the Class IV price level was made the same as that of Class III milk. These revisions were to be effective for the months of March through July 1954 only.

At the reopening of the hearing on March 8 the bargaining cooperatives in the market testified that handlers are not willing to accept milk for Class III and Class IV uses at the modified price levels for such classes and are turning back substantial quantities of milk to such cooperatives to be disposed of at whatever price the cooperatives are able to obtain through disposal to unregulated plants. In accepting milk for such disposal the cooperatives are required to take the milk on their account and to pay into the "producer-settlement fund" the minimum price set by the order for the class of use if the milk involved is to remain in the market pool and receive the price benefits of the order. It was testified that during February and the early part of March milk was so handled by the cooperatives at substantial loss, at times exceeding 90 cents per hundredweight.

Record data indicate that in the flush production months of 1953 the total volume of Class III and Class IV milk was more than twice that disposed of in such classes in 1950. Except for a brief period of drought last fall, production in recent months has continued at a high level in relation to the corresponding month of the preceding year. It appears that the volume of producer milk to be disposed of in Class III and Class IV uses during the spring and summer of 1954 will be the largest in the history of the market.

It is concluded that in the interest of orderly marketing the price level ap-

plicable to the reserve supply of producer milk in the months of seasonally heavy production in 1954 should be reduced in relation to both the prices which resulted from the Class III and Class IV price formulas during the recent fall and winter months and those in effect during the flush production months of last year. It should be noted, however, that Class III milk under the Cincinnati order consists of milk utilized for some products which do not require inspected milk and for certain other products which do require such milk. Ice cream manufacture is among the most important outlets for milk in the class and if the resulting ice cream is to be sold within the city of Cincinnati it must be produced from inspected milk. A similar situation may be said to exist with respect to cottage cheese, eggnog and whipped cream. Thus, a reduction in price to the same level as other Class III milk under emergency conditions during the flush production period would tend to underprice milk needed for ice cream and such other products requiring inspected milk which represent important dispositions of Class III milk.

Milk which is handled on a "distress" basis is usually picked up at city plants and transported to manufacturing plants from 80 to 100 miles from Cincinnati. The processing facilities available at distributing plants in the marketing area are confined largely to the manufacture of ice cream, and thus reserve milk above the total quantity needed for this purpose must be transported to country locations for manufacture. In many instances it is not practicable to divert milk on farm hauling routes to manufacturing plants prior to its receipt at the city. When so moved to country locations milk is manufactured into such products as butter, nonfat dry milk solids and cheese. The record indicates that the cost of transporting the milk to manufacturing outlets approximates 25 cents per hundredweight. In order to provide incentive for the handling of extra reserve milk this spring in view of the generally high production of milk at plants the Cincinnati milkshed and in the State of Ohio as a whole, the Class III and Class IV price formulas should be modified to provide somewhat more liberal allowances for handling during a temporary period. Quite as important to this problem as the level of Class III and Class IV prices established for milk testing 3.5 percent, however, are the butterfat differentials which apply in adjusting such class prices to the actual test of the milk as disposed of in manufactured products. For example, in January 1954, the weighted average butterfat test of Class III milk was 2.8174 percent while Class IV milk tested 35.8533 percent butterfat. It is obvious, particularly in regard to milk utilized for butter manufacture (Class IV milk), that the butterfat differential contributes more significantly to the handler's cost, and therefore to the problem of Class IV milk disposition, than the class price as computed for milk testing 3.5 percent. It is considered appropriate, therefore, to adjust butterfat differentials for these classes of milk to

align the prices of butterfat therein represented by tests other than 3.5 percent more closely with the prices of butterfat represented in 3.5 percent milk in such classes. This has been accomplished by basing the butterfat differentials directly on the individual prices of skim milk and butterfat included in the formulas which determine the prices for 3.5 percent milk in such manufacturing classes, respectively.

It may be noted that milk used for ice cream and certain other products is priced 25 cents per hundredweight higher than milk utilized in such products as butter, cheese and nonfat dry milk solids. In view of the health requirements applicable in connection with a large proportion of the disposition in such specified uses and the fact such disposition is made primarily from distributing plants located in or close to the marketing area rather than at country locations as in the case of distress milk, such milk should return a somewhat higher price to producers even in the flush production season.

The reduction in the Class III and Class IV prices adopted should be limited to the March-August period of 1954. Because of the particular combination of products covered by such classes and the likelihood that an improved pricing and classification plan, including review and possible modification of the supply-demand utilization percentages in relation to the various requirements of inspected milk as presently covered by Class III milk as well as Class I and Class II milk, might be evolved from more detailed consideration of such provisions, any further revision of reserve milk pricing should be based upon the results of a later hearing. There should be ample time for such review prior to the flush production months of 1955.

(2) The proposed payment to bargaining cooperatives to be based upon certain services as rendered from time to time should not be adopted at this time.

Bargaining cooperatives representing a large number of producers in the market proposed the adoption of a service charge against the producer-settlement fund, and a corresponding payment to bargaining cooperatives of the monies represented, whenever such cooperatives necessarily handle on their account milk for disposition to manufacturing outlets as the result of the refusal or release of producer milk by a proprietary handler. The rate of service payment suggested was 50 cents per hundredweight of milk so handled by the cooperative.

The proposal made was discussed at some length at the hearing. It appears to have considerable merit as a measure designed to achieve maximum returns to producers when it is necessary to remove reserve supplies of milk under distress conditions, by enabling producers to get full value for the portion of milk supplies kept and utilized by handlers during the distress period. The development of a workable provision would require a greater period of time than can be afforded in the present circumstances. In view of the particular pricing provisions adopted it is felt that such provision will not be required for the tem-

porary period involved, and that there will be opportunity for further consideration prior to such time as it may be appropriate to adopt such a provision. The proposal therefore is denied at this time.

(3) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Deputy Administrator, Agricultural Marketing Service, and the opportunity for exceptions thereto, on the above issues.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendments. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective and therefore should be eliminated in this instance. The notice of hearing stated that consideration would be given to the question of whether economic and marketing conditions require emergency action with respect to any or all amendments deemed necessary as the result of the hearing. Action under the procedure described above was requested at the hearing. No opposition was registered at the hearing to either the objectives of the proposals involved or the use of such emergency promulgation procedure.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of December 1953 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Cincinnati, Ohio, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for

sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area," and "Order Amending the Order, as amended, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the *FEDERAL REGISTER*. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 19th day of March 1954.

Dated: March 19, 1954, at Washington, D. C.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

Order Amending the Order, as Amended, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area

§ 965.0 Findings and determinations. The findings and determinations herein-after set forth are supplementary and in addition to the findings, and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto, and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete that portion of § 965.51 (c) which precedes subparagraph (2) thereof and substitute therefor the following:

(c) The price for Class III milk during each of the months of March through August, inclusive, shall be the higher of the prices per hundredweight computed pursuant to subparagraphs (1) and (2) of this paragraph; and the price for Class III milk during each of the months of September through February, inclusive, shall be the higher of such computed prices plus 30 cents:

(1) The price as computed pursuant to § 965.50 (b): *Provided*, That the price per hundredweight for Class III milk during the period ending with August 31, 1954, shall be the higher of the price computed pursuant to subparagraph (2) of this paragraph and a price computed as follows:

(i) Subtract 5.5 cents from the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the United States Department of Agriculture during the month for which payment is to be made, multiply by 1.20, and then multiply such result by 3.5;

(ii) From the simple average, as computed by the market administrator, of the weighted average of carlot prices per pound for nonfat dry milk solids, spray and roller process for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the United States Department of Agriculture, deduct 6 cents, and multiply the result by 7.7; and

(iii) Deduct 25 cents from the sum of the amounts computed under subdivi-

sions (i) and (ii) of this subparagraph: *Provided*, That the price applicable to milk used to produce ice cream, ice cream mix, egg nog, whipped cream, whipped cream substitutes, and cottage cheese shall be the sum of amounts computed for the month under subdivisions (i) and (ii) of this subparagraph.

2. Delete in § 965.51 (d) the word "July" and substitute therefor the word "August."

3. Delete § 965.52 and substitute therefor the following:

§ 965.52 *Butterfat differentials to handlers*. If the weighted average butterfat test of producer milk which is classified in any class, respectively, for any handler, is more or less than 3.5 percent, there shall be added to or subtracted from, as the case may be, from the price for such class, for each one-tenth of one percent that such weighted average butterfat test is above or below 3.5 percent, a butterfat differential calculated by the market administrator as follows: For Class I milk and Class II milk, respectively, determine the percent of the alternate basic formula price as computed pursuant to § 965.50 (b) represented by the sum computed pursuant to § 965.50 (b) (1), apply the percentage so determined to the respective Class I and Class II prices for 3.5 percent milk computed pursuant to § 965.51 (a) and (b), and divide by 35 (computed to the nearest hundredth of a cent). For Class III milk and Class IV milk subtract \$5.50 from the average price per hundred pounds of butter as described in § 965.51 (c) (1) (i), multiply by 120, subtract therefrom the amount per hundredweight computed pursuant to § 965.51 (c) (1) (ii), and divide the result by 1,000: *Provided*, That beginning with September 1, 1954, the butterfat differential for Class III milk shall be computed as follows: Multiply by 120 the average price per hundred pounds of 92-score butter as described in § 965.50 (b) (1), subtract therefrom the price per hundredweight computed pursuant to § 965.50 (b) (2), and divide the result by 1,000 and beginning with such date the butterfat differential for Class IV milk shall be computed as follows: subtract \$5.00 from the average price per hundred pounds of 92-score butter as described in § 965.50 (b) (1), multiply by 120, subtract therefrom the price per hundredweight pursuant to § 965.50 (b) (2), and divide the result by 1,000.

[F. R. Doc. 54-2096; Filed, Mar. 24, 1954; 8:50 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 302]

[File No. 205-1]

FLAMMABLE FABRICS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given all interested parties that the Federal Trade Commission on April 22, 1954, beginning at 10:00 o'clock a. m., e. s. t., at its offices in the city of Washington, D. C., will hold a public hearing on proposed rules and

regulations under the Flammable Fabrics Act.

Interested parties may participate by submitting in writing to the Commission on or before such date, their views, arguments, or other pertinent data, or they may be heard orally at such time. Any party wishing to submit further views, arguments or data in response to that submitted at the hearing may do so in writing at any time within ten days after such hearing is closed.

Such action is taken pursuant to the authority given the Federal Trade Commission under section 5 (c) of the Flammable Fabrics Act (Pub. Law 88, 83d Cong., Chap. 164, 1st sess., 67 Stat. 111) "to prescribe such rules and regulations as may be necessary and proper for purposes of administration and enforcement of this act."

The matters to be considered are the proposed rules and regulations set out below together with such amendments, revisions, deletions, and additions thereto as may be proposed.

§ 302.1 *Terms defined*. (a) As used in this part, unless the context otherwise specifically requires:

(1) The term "act" means the "Flammable Fabrics Act" (approved June 30, 1953, Pub. Law 88, 83d Cong., 1st Sess.; 15 U. S. C. A. sec. 1191; 67 Stat. 111).

(2) The terms "rule," "rules," "regulations," and "rules and regulations," mean the rules and regulations prescribed by the Commission pursuant to section 5 (c) of the act.

(3) The term "United States" means the several states, the District of Columbia and the Territories and possessions of the United States.

(4) The terms "marketing or handling," (i) when applied to wearing apparel means manufacturing for sale, offering for sale, selling, importing, delivering, or transporting; and, (ii) when applied to fabric mean offering for sale, selling, importing, delivering, or transporting.

(5) The terms "uncovered or exposed part" of an article of wearing apparel as used in section 4 (a) of the act, mean that part of such article of apparel which during normal and customary course of wear would be open to flame or other means of ignition.

(6) The term "textile fabric" (except those with a nitro-cellulose fiber, finish or coating) means any material subject to the act, woven, knitted, felted, or otherwise produced from any natural or man-made fiber or substitute therefor, or combination thereof, which is in a form or condition ready for use in wearing apparel and shall include coated fabrics.

(7) The term "plain surface textile fabric" means any textile fabric which does not have an intentionally raised fiber or yarn surface such as a pile, nap, or tuft, but shall include those fabrics having fancy woven, knitted or flock printed surfaces.

(8) The term "raised surface textile fabric" means any textile fabric which has an intentionally raised fiber or yarn surface such as a pile, nap or tufting.

(9) The term "film" means any non-rigid, unsupported plastic, rubber or

other synthetic or natural film or sheeting, or any combination thereof, including transparent, translucent, and opaque material, whether plain, embossed, molded, or otherwise surface treated, and shall include film or sheeting exceeding 10 mils in thickness.

(10) The term "test" means the application of the relevant test method prescribed in the procedures provided under section 4 (a) of the act.

(11) The term "initial test" means tests made under the procedures prescribed in section 4 (a) of the act of specimens taken from two separate pieces of a textile fabric having the same weight, construction and finish type, or from two separate runs of film having the same formula, color, and thickness.

(12) The definition of terms contained in section 2 of the act shall be applicable also to such terms when used in rules promulgated under the act.

§ 302.2 *General requirements*. No article of wearing apparel or fabric subject to the act and regulations shall be marketed or handled if such article or fabric, when tested according to the procedures prescribed in section 4 (a) of the act, is so highly flammable as to be dangerous when worn by individuals.

§ 302.3 *Test procedures for textile fabrics and film*. (a) All textile fabrics (except those with nitro-cellulose fiber, finish or coating) intended or sold for use in wearing apparel, and all fabrics contained in articles of wearing apparel, shall be subject to the requirements of the act, and shall be deemed to be so highly flammable as to be dangerous when worn by individuals if such fabrics or any uncovered or exposed part of such articles of wearing apparel exhibits rapid and intense burning when tested under the conditions and in the manner prescribed in the Commercial Standard promulgated by the Secretary of Commerce effective January 30, 1953, and identified as "Flammability of Clothing Textiles, Commercial Standard 191-53."

(b) All film, and textile fabrics with a nitro-cellulose fiber, finish or coating, intended or sold for use in wearing apparel, and all film and textile fabrics referred to in this rule which are contained in articles of wearing apparel, shall be subject to the requirements of the act, and shall be deemed to be so highly flammable as to be dangerous when worn by individuals if such film or textile fabrics or any uncovered or exposed part of such articles of wearing apparel exhibit a rate of burning in excess of that specified in paragraph 3.11 of the Commercial Standard promulgated by the Secretary of Commerce effective May 22, 1953, and identified as "General Purpose Vinyl Plastic Film, Commercial Standard 192-53."

§ 302.4 *Only uncovered or exposed parts of wearing apparel to be tested*. In determining whether an article of wearing apparel is so highly flammable as to be dangerous when worn by individuals, only the uncovered or exposed part of such article of wearing apparel shall be tested according to the appli-

cable procedures set forth in section 4 (a) of the act.

§ 302.5 *Testing certain classes of fabrics.* (a) Any textile fabric intended for use in, or used, or contained in an article of wearing apparel, which in its normal and customary use as wearing apparel would not be washed, need not, upon test made under the procedures outlined in Commercial Standard 191-53, be washed as prescribed by paragraph 4.5 of such Commercial Standard: *Provided, however,* That such fabric and article of wearing apparel when marketed or handled are marked in a clear, legible and permanent manner disclosing that they will be dangerously flammable if washed. Examples of the types of fabric referred to are bridal illusion or millinery veiling.

(b) A coated fabric need not, upon test under the procedures outlined in Commercial Standard 191-53, be dry cleaned as set forth in paragraph 4.4 of such Commercial Standard.

(c) In determining whether a textile fabric having a raised-fiber surface, which surface is to be used in the covered or unexposed parts of articles of wearing apparel, is so highly flammable as to be dangerous when worn by individuals, only the opposite surface or surface intended to be exposed need be tested under the applicable procedures set forth in section 4 (a) of the act, providing an invoice or other paper covering the marketing or handling of such fabric is given which clearly designates that the raised-fiber surface is to be used only in the covered or unexposed parts of articles of wearing apparel.

§ 302.6 *Certain fabrics not subject to provisions of section 3 of act.* (a) Fabrics intended for processing into interlinings or other covered or unexposed parts of articles of wearing apparel shall not be subject to the provisions of section 3 of the act, providing an invoice or other paper covering the marketing or handling of such fabrics is given which specifically designates their intended end use.

(b) Fabrics intended or sold for use in those hats, gloves and footwear which are excluded under the definition of articles of wearing apparel in section 2 (d) of the act, shall not be subject to the provisions of section 3 of the act, providing an invoice or other paper covering the marketing or handling of such fabrics is given which specifically designates their intended use in such products.

§ 302.7 *Reasonable and representative tests under section 8 of the act.*

Explanation. Section 8 of the act, among other things, provides that no person shall be subject to prosecution under section 7 of the act for a violation of section 3 of the act if such person establishes a guaranty received in good faith signed by and containing the name and address of the person by whom the wearing apparel or fabric guaranteed was manufactured or from whom it was received, to the effect that reasonable and representative tests made under the procedures provided in section 4 (a) of the act show that the fabric covered by the guaranty, or used, or contained in the wearing apparel, is not, under the provisions of sec-

tion 4 (a) of the act, so highly flammable as to be dangerous when worn by individuals.

The furnishing of guaranties is not mandatory under the act. The purpose of this rule is to establish minimum requirements for the reasonable and representative tests on which guaranties may be based. The making of these tests and the furnishing of guaranties based thereon will not relieve one making the tests or furnishing guaranties based thereon from prosecution under section 7 of the act for violation of section 3 of the act, nor will it relieve one furnishing or receiving such guaranties from the administrative processes of the Federal Trade Commission under section 5 of the act, nor from the injunction and condemnation procedures under section 6 of the act.

(a) The following shall constitute reasonable and representative tests, as that term is used in section 8 of the act, for those textile fabrics which by reason of their composition, construction, finish and weight may be tested upon a class basis.

(1) *Plain surface textile fabrics weighing two ounces or more per square yard.* (i) One test of any plain surface textile fabric weighing two ounces or more per square yard, exclusive of metallic ornamentation, or one test of any particular class of such fabrics, shall suffice for any such fabric or class of fabrics.

(2) *Plain surface textile fabrics weighing less than two ounces per square yard.* (i) When, on the initial test¹ of any plain surface textile fabric weighing less than two ounces per square yard, and of a particular fiber composition, construction and finish type, such fabric exhibits a burning time of between 4 and 6 seconds, both inclusive, such test may suffice for any fabric of the same fiber composition, construction and finish type. This class of fabric shall be tested at least once at intervals of not more than three months thereafter while in production.

(ii) When, on the initial test of any plain surface textile fabric weighing less than two ounces per square yard, and of a particular fiber composition, construction and finish type, such fabric exhibits a burning time in excess of 6 seconds, such test may suffice for any fabric of the same fiber composition, construction and finish type. This class of fabric shall be tested at least once at intervals of not more than six months thereafter while in production.

(iii) When, on the initial test of any plain surface textile fabric weighing less than two ounces per square yard, and of a particular fiber composition, construction and finish type, none of the specimens ignite, such initial test may suffice for any fabric of the same fiber composition, construction and finish type.

(3) *Certain raised fiber surface textile fabrics.* (i) When a test of any raised fiber surface textile fabric which has a dense cut pile of uniform short length or looped yarns, and of a particular fiber composition, construction and finish type, does not exhibit a surface flash and does not ignite, such test shall suffice for any such fabric having a dense cut pile of the same length or the same looped

yarns and of the same fiber composition, construction and finish type. Examples of the types of fabrics referred to are velvets, velveteens, velours, corduroys and terry cloth.

(ii) One test of any raised fiber surface textile fabric made entirely of protein fibers, exclusive of non-protein fiber ornamentation not to exceed 10 percent by weight, or one test of any particular class of such fabrics, shall suffice for any such fabric or class of fabrics.

(b) The following shall be deemed to be reasonable and representative tests, as that term is used in section 8 of the act, of those textile fabrics which do not fall within any of the foregoing class tests.

(1) *Plain surface textile fabrics weighing less than two ounces per square yard.*

(i) When, on the initial test of a plain surface textile fabric weighing less than two ounces per square yard, such fabric exhibits a burning time of between 4 and 6 seconds, both inclusive, the fabric shall be tested at least once at intervals of not more than three months thereafter while in production.

(ii) When, on the initial test of a plain surface textile fabric weighing less than two ounces per square yard, such fabric exhibits a burning time in excess of 6 seconds, the fabric shall be tested at least once at intervals of not more than six months thereafter while in production.

(iii) When, on the initial test of a plain surface textile fabric weighing less than two ounces per square yard, none of the specimens ignite, such initial test shall suffice.

(2) *Raised fiber surface textile fabrics.* When, on the initial test of a raised fiber surface textile fabric, such fabric:

(i) Falls within Class 2 as provided in paragraph 3.1.2.1 of Commercial Standard 191-53, the fabric shall be tested at least once at intervals of not more than one month while in production, or if the production exceeds 50,000 yards per month, the fabric shall be tested thereafter every 50,000 yards or fraction thereof.

If, after two tests have been made as outlined in this section, the test results do not show the flame spread to have been less than 4 seconds, with the base fabric ignited or fused, the fabric shall be tested at least once at intervals of not more than three months while in production, or if the production exceeds 100,000 yards per three months, the fabric shall be tested thereafter every 100,000 yards or fraction thereof.

(ii) Has a flame spread in excess of 7 seconds with the base fabric ignited or fused, the fabric shall be tested at least once at intervals of not more than 6 months thereafter while in production.

(iii) Has a surface flash, but the base fabric does not ignite nor fuse, the fabric shall be tested at least once at intervals of not more than six months thereafter while in production.

(iv) Does not have a surface flash and does not ignite, the initial test shall suffice.

(c) When, on initial test a film or a textile fabric with a nitro-cellulose fiber,

¹ See definition of "initial test" in § 302.1 (a) (11).

finish or coating, does not exhibit a burning rate in excess of 1.2 inches per second, one test each year thereafter while in production shall be deemed reasonable and representative tests for such film or textile fabric.

(d) Reasonable and representative tests of fabrics and fabrics contained in articles of wearing apparel, subject to the act, produced prior to the effective date of the act, and which have not been covered by tests made under the applicable requirements of paragraphs (a), (b), and (c) of this section, shall be an initial test for each class of such fabrics, and such tests shall be applicable to all fabrics having the same fiber composition, construction and finish type.

(e) In the case of articles of wearing apparel which are not made from fabrics but directly from yarns, the fabrics contained in such articles of wearing apparel shall be tested by the testing requirements provided in paragraphs (a) and (b) of this section.

(f) If tests of any textile fabric made subsequent to the initial test show a burning time of another category, then such fabric shall be tested thereafter under the testing requirements of such changed time.

(g) The application of this section, insofar as it relates to the testing of plain surface textile fabrics or such fabrics contained in articles of wearing apparel weighing two ounces or more per square yard, shall be limited to fabrics made of fibers in use or capable of being used as of May 31, 1954. Such fabrics weighing two ounces or more per square yard made in whole or in part of fibers developed and used subsequent to May 31, 1954, shall be tested in accordance with the testing requirements set out in paragraphs (a) (2) and (b) of this section.

§ 302.8 Maintenance of records by those furnishing guaranties. (a) In order to properly administer and enforce section 8 of the act relating to guaranties, it is required that any person furnishing either a separate or continuing guaranty who has made the tests prescribed by the act and regulations shall keep and maintain records of such tests. The records to be maintained shall show:

(1) The style or range number, fiber composition, construction and finish type of each textile fabric and each textile fabric used or contained in an article of wearing apparel covered by the guaranty, including a swatch of the fabric tested.

(2) The stock or formula number, color, thickness and general description of each film or film used in an article of wearing apparel covered by the guaranty, including a sample of the film tested.

(3) The results of the actual tests made on the textile fabric and film or the fabric and film used or contained in an article of wearing apparel.

(b) Persons furnishing guaranties based upon class tests shall maintain records showing:

(1) Identification of the class test.
(2) Fiber composition, construction and finish type of the fabrics, or the fab-

rics used or contained in articles of wearing apparel so guaranteed.

(3) A swatch of such fabric.
(c) The records referred to in this rule shall be preserved for a period of three years from the date the tests were performed.

(d) Any person furnishing a guaranty under section 8 (a) of the act who neglects or refuses to maintain and preserve the records prescribed in this section shall be deemed to have furnished a false guaranty under the provisions of section 8 (b) of the act.

§ 302.9 Form of separate guaranty. The following is a suggested form of separate guaranty under section 8 of the act which may be used by a guarantor, residing in the United States, on or as part of an invoice or other paper relating to the marketing or handling of any articles of wearing apparel or fabrics subject to the act listed and designated therein, the date of such invoice or other paper and the signature and address of the guarantor:

The undersigned hereby guarantees that reasonable and representative tests, made according to the procedures prescribed in section 4 (a) of the Flammable Fabrics Act, show that fabrics used or contained in the articles of wearing apparel and fabrics otherwise subject to said Act, covered by and in the form delivered under this document, are not so highly flammable as to be dangerous when worn by individuals.

(Name)
(Address)

NOTE: Wording of suggested form may be varied to limit guaranty to specified items on the invoice or other paper.

§ 302.10 Continuing guaranties. (a) (1) Any person residing in the United States may file with the Federal Trade Commission a continuing guaranty under section 8 of the act. When filed with the Commission, a continuing guaranty shall be fully executed in duplicate and execution of each copy shall be acknowledged before a notary public.

(2) Forms for use in preparing continuing guaranties will be supplied by the Commission upon request.

(3) Continuing guaranties filed with the Commission shall be renewed every three (3) years and at such other times as any change occurs in the legal business status of the person filing the continuing guaranty. The guarantor shall promptly report any such change to the Commission and advise the Commission of any change in the address of its principal office and place of business.

(b) The following is the prescribed form of continuing guaranty:

CONTINUING GUARANTY UNDER THE FLAMMABLE FABRICS ACT

The undersigned, _____
(Corporation, partnership, proprietorship)
residing in the United States and having
principal office and place of business at
(Street and number) (City)

(State or Territory)
and engaged in the marketing or handling of
[(articles of wearing apparel) (and) (fab-

rics)]¹ subject to the Flammable Fabrics Act and Regulations thereunder hereby guarantees that reasonable and representative tests, made according to the procedures prescribed in Section 4 (a) of the Flammable Fabrics Act, show or will show that all of the following described [(fabrics) (and) (fabrics used or contained in articles of wearing apparel)]¹ _____

(If guaranty is limited to certain products list here. If additional space is necessary, set out on attached sheet)

hereafter marketed or handled by it are not, in the form delivered or to be delivered, so highly flammable as to be dangerous when worn by individuals.

The following execution to be used only by individuals, partnerships and unincorporated associations:

Dated, signed and executed this ____ day of _____, 19____, at _____ (City) (State or Territory)

(Name under which business is conducted)

(Signature of proprietor or partner)

(If firm is a partnership list partners below.)

STATE OF _____
County of _____, ss:

On this ____ day of _____, 19____, before me personally appeared the said _____

(Name of proprietor or partner signing)
to me known to be the person described in and who executed the foregoing instrument and acknowledged the execution of the same for the uses and purposes therein stated.

[Impression of notarial seal required here] Notary Public in and for _____ County of _____ State of _____

My Commission expires _____
The following execution to be used only by corporations:

Dated, signed and executed this ____ day of _____, 19____, at _____ (City) (State or Territory)

[Impression of corporate seal required here] (Full corporate name)
By _____ (Signature and title of executive officer)

Attest: _____
(Secretary)

STATE OF _____
County of _____, ss:

On this ____ day of _____, 19____, before me personally appeared _____ (Name of executive officer)

(Title of executive officer) of _____ (Name of corporation)

to me known to be the person described in and who executed the foregoing instrument and acknowledged the execution of the same on behalf of said corporation for the uses and purposes therein stated.

[Impression of notarial seal required here] Notary Public in and for _____ County of _____ State of _____

My Commission expires _____

¹Strike any wording not applicable.

(c) Any person who has a continuing guaranty on file with the Commission may, during the effective dates of the guaranty, give notice of such fact by setting forth on the invoice or other paper covering the marketing or handling of the product guaranteed the following: "Continuing guaranty under the Flammable Fabrics Act filed with the Federal Trade Commission."

(d) Any person who falsely represents in writing that he has a continuing guaranty on file with the Federal Trade Commission when such is not a fact shall be deemed to have furnished a false guaranty under section 8 (b) of the act.

§ 302.11 *Guaranties furnished by non-residents of United States no bar to prosecution.* A guaranty furnished under section 8 of the act by a person who is not a resident of the United States

may not be relied upon as a bar to prosecution under section 7 of the act for a violation of section 3 of the act.

§ 302.12 *Salvage operations of common carriers and others.* For the purposes of this act the ordinary course of business of common carriers, contract carriers, or freight forwarders, as referred to in section 11 of the act, shall not include the marketing or handling of articles of wearing apparel or fabrics subject to the act in the course of performance of salvage or lien realizing operations.

§ 302.13 *Reference to guaranty by Government prohibited.* No representation nor suggestion shall be made in advertising or otherwise marketing or handling an article of wearing apparel or fabric subject to the act that the act, the Government, or any branch thereof,

guarantees in any manner that such article or fabric is not so highly flammable as to be dangerous when worn by individuals.

§ 302.14 *Shipments under section 11 (c) of the act.* The invoice or other paper relating to the shipment or delivery for shipment in commerce of articles of wearing apparel or textile fabrics for the purpose of finishing or processing to render them not so highly flammable as to be dangerous when worn by individuals, shall contain a statement disclosing such purpose.

Issued: March 22, 1954.

By direction of the Commission,

[SEAL] ALEX. AKERMAN, Jr.,
Secretary.

[F. R. Doc. 54-2102; Filed, Mar. 24, 1954; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 54-13]

TERMINATIONS OF APPROVALS OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and in compliance with the authorities cited below, the following approvals of equipment are terminated because (1) the manufacturer is no longer in business; or (2) the manufacturer does not desire to retain the approval; or (3) the item is no longer being manufactured; or (4) the item of equipment no longer complies with present Coast Guard requirements; or (5) the approval has expired. Except for those approvals which have expired, all other terminations of approvals made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

BUOYANT CUSHIONS, NON-STANDARD

Termination of Approval No. 160.008/400/0, 14' x 29' x 2' rectangular buoyant cushion, 36 oz. kapok, dwg. No. 102 dated October 21, 1948, manufactured by Nappe-Smith Manufacturing Co., Southard Avenue, Farmingdale, N. J. (Approved FEDERAL REGISTER December 2, 1948. Termination of approval effective December 2, 1953.)

Termination of Approval No. 160.008/401/0, 14' x 18' x 2' rectangular buoyant cushion, 22 oz. kapok, dwg. No. 103 dated December 16, 1948, manufactured by Nappe-Smith Manufacturing Co., Southard Avenue, Farmingdale, N. J. (Approved FEDERAL REGISTER February 8,

1949. Termination of approval effective February 8, 1954.)

Termination of Approval No. 160.008/402/0, 15' x 15' x 2' rectangular buoyant cushion, 20 oz. kapok, plastic film cover, plastic straps, heat sealed seams, stitched ending seam, dwg. No. C-102, rev. December 21, 1948, and dwg. No. A-211 dated December 21, 1948, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Approved FEDERAL REGISTER February 8, 1949. Termination of approval effective February 8, 1954.)

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 489, 526e, 526p; 46 CFR 160.008)

BUOYANT APPARATUS

Termination of Approval No. 160.010/16/0, buoyant apparatus, elliptical, solid balsa wood, 5-person capacity, dwg. No. MDC-CG-100, revised October 7, 1948, manufactured by Modcraft Co., Inc., 300 Wyckoff Avenue, Brooklyn 27, N. Y. (Approved FEDERAL REGISTER December 2, 1948. Termination of approval effective December 2, 1953.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.010)

DAVIT, LIFEBOAT

Termination of Approval No. 160.032/103/0, mechanical davit, Type 24-40, straight boom sheath screw, approved for maximum working load of 11,500 pounds per set (5,750 pounds per arm) using six part falls, identified by arrangement dwg. No. DB-201 dated April 20, 1948, and revised November 3, 1948, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER February 8, 1949. Termination of approval effective February 8, 1954.)

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375,

391a, 404, 474, 481, 489, 1333, 50 U. S. C. 1275; 46 CFR 160.032)

LIFEBOATS

Termination of Approval No. 160.035/27/1, 28' x 9' x 4' steel, oar-propelled lifeboat, 59-person capacity, identified by construction and arrangement dwg. No. G-355-F dated June 10, 1948, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER December 2, 1948. Termination of approval effective December 2, 1953.)

Termination of Approval No. 160.035/29/1, 28.0' x 10.0' x 4.0' steel, hand-propelled lifeboat, 67-person capacity, identified by construction and arrangement dwgs. No. G-246-D dated May 1, 1946, and revised Aug. 13, 1946, and No. G-410 dated May 28, 1948, and revised September 16, 1948, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER December 31, 1953.)

Termination of Approval No. 160.035/166/0, 30' x 10' x 4' steel, hand-propelled lifeboat, 72-person capacity, identified by construction and arrangement dwg. No. G-413 dated July 20, 1948, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Approved FEDERAL REGISTER December 2, 1948. Termination of approval effective December 2, 1953.)

Termination of Approval No. 160.035/232/0, 15.0' x 5.42' x 2.25' wood, oar-propelled lifeboat, 10-person capacity, for inland waters other than Great Lakes, identified by dwg. No. 148 L/B-1 dated September 20, 1948, submitted by Geo. W. Kneass Co., Eighteenth and Illinois Streets, San Francisco 7, Calif. (Approved FEDERAL REGISTER February 8, 1949. Termination of approval effective February 8, 1954.)

Termination of Approval No. 160.035/237/0, 31.0' x 10.5' x 4.33' steel, hand-propelled lifeboat, 82-person capacity, identified by construction and arrange-

ment dwg. No. 3235 dated August 20, 1948, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER February 8, 1949. Termination of approval effective February 8, 1954.)

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490, 1333, 50 U. S. C. App. 1275; 46 CFR 160.035)

VALVES, SAFETY (POWER BOILERS)

Termination of Approval No. 162.001/144/0, Type 1415AS, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 650° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 1½" and effective discharge area of 0.307 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/145/0, Type 1415BS, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 750° F. maximum temperature, dwg. No. 3VB953 issued March 5, 1951, approved for size 1½" and effective discharge area of 0.307 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/146/0, Type 1415CS, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 900° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 1½" and effective discharge area of 0.307 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/147/0, Type 1415GA, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 650° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 1½" and effective discharge area of 0.503 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/148/0, Type No. 1415GB, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 750° F. maximum temperature, dwg. No. 3VB953 issued March 5, 1951, approved for size 1½" and effective discharge area of 0.503 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/149/0, Type 1415GC, Consolidated alloy steel body pop safety valve, exposed

spring, fitted with spring cover, 300 p. s. i. and 600 p. s. i. primary service pressure ratings, 900° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 1½" and effective discharge area of 0.503 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/150/0, Type 1415JA, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 450 p. s. i. maximum allowable pressure, 650° F. maximum temperature, dwg. No. 3VB953 issued March 5, 1951, approved for size 4" and effective discharge area of 4.340 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/151/0, Type 1415JB, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 450 p. s. i. maximum allowable pressure, 750° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 4" and effective discharge area of 4.340 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/152/0, Type 1415JC, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 450 p. s. i. maximum allowable pressure, 900° F. maximum temperature, dwg. No. 3VB953, issued March 5, 1951, approved for size 4" and effective discharge area of 4.340 square inches, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 1, 1951.)

Termination of Approval No. 162.001/157/0, Type 1556HA, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 900 p. s. i. primary service pressure rating, 650° F. maximum temperature, dwg. No. 3VG953 issued April 13, 1951, approved for size 1½" only, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/159/0, Type 1556HB, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 900 p. s. i. primary service pressure rating, 750° F. maximum temperature, dwg. No. 3VG953 issued April 13, 1951, approved for size 1½" only, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/161/0, Type 1556HC, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 900 p. s. i. primary service pressure rating, 900° F. maximum temperature, dwg. No. 3VG953 issued April 13, 1951, approved for size 1½" only, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/163/0, Type 1556HD, Consolidated alloy

steel body pop safety valve, exposed spring, fitted with spring cover, 900 p. s. i. primary service pressure rating, 1,000° F. maximum temperature, dwg. No. 3VG953 issued April 13, 1951, approved for size 1½" only, manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/165/0, Type 1557HRA, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 1,200 p. s. i. maximum pressure, 650° F. maximum temperature, dwg. No. 3VE953 issued April 13, 1951, approved for sizes 2", 2½", 3" and 4", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/166/0, Type 1557HRB, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 1,200 p. s. i. maximum pressure, 750° F. maximum temperature, dwg. No. 3VE953 issued April 13, 1951, approved for sizes 2", 2½", 3" and 4", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/167/0, Type 1557HRC, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 1,200 p. s. i. maximum pressure, 900° F. maximum temperature, dwg. No. 3VE953 issued April 13, 1951, approved for sizes 2", 2½", 3" and 4", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/168/0, Type 1557HRD, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 1,200 p. s. i. maximum pressure, 1,000° F. maximum temperature, dwg. No. 3VE953 issued April 13, 1951, approved for sizes 2", 2½", 3" and 4", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/170/0, Type 1557RA, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 650° F. maximum temperature, dwg. No. 3VF953 issued April 13, 1951, approved for sizes 2", 2½", and 3", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/172/0, Type 1557RB, Consolidated carbon steel body pop safety valve, exposed spring, fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 750° F. maximum temperature, dwg. No. 3VF953 issued April 13, 1951, approved for sizes 2", 2½" and 3", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved FEDERAL REGISTER June 26, 1951.)

Termination of Approval No. 162.001/174/0, Type 1557RC, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 1,500 p. s. i. primary service pressure rating,

900° F. maximum temperature, dwg. No. 3VF953 issued April 13, 1951, approved for sizes 2", 2½" and 3", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved Federal Register June 26, 1951.)

Termination of Approval No. 162.001/176/0, Type 1557RD, Consolidated alloy steel body pop safety valve, exposed spring, fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 1,000° F. maximum temperature, dwg. No. 3VF953 issued April 13, 1951, approved for sizes 2", 2½" and 3", manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Approved Federal Register June 26, 1951.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 162.001)

BOILERS, HEATING

Termination of Approval No. 162.003/76/0, Model No. 350A, cast iron hot water heating boiler, maximum working pressure 15 p. s. i., manufactured by Werner Foundry, Inc., Lansdale, Pa. (Approved Federal Register December 31, 1948. Termination of approval effective December 31, 1953.)

Termination of Approval No. 162.003/77/0, Model No. 16, cast iron hot water heating boiler, maximum working pressure 15 p. s. i., manufactured by Werner Foundry, Inc., Lansdale, Pa. (Approved Federal Register December 31, 1948. Termination of approval effective December 31, 1953.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4434, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 412, 489, 1333, 50 U. S. C. App. 1275; 46 CFR Part 52)

Dated: March 19, 1954.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 54-2110; Filed, Mar. 24, 1954;
8:54 a. m.]

[CGFR 54-14]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and in compliance with the authorities cited with each item of equipment: It is ordered, That:

(a) All the approvals listed in this document which extend these approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of five years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

(b) All the other approvals listed in this document (which are not covered by paragraph (a) above) are prescribed and shall be in effect for a period of five years from the date of publication of this document in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority; and

(c) The document CGFR 53-53 appearing in the FEDERAL REGISTER dated December 15, 1953 (18 F. R. 8210-8212), regarding approval of equipment, shall be corrected as indicated below.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)

Approval No. 160.002/40/0, Model 2, adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Stearns Manufacturing Co., West Division Street at Thirtieth, St. Cloud, Minn.

Approval No. 160.002/41/0, Model 6, child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Stearns Manufacturing Co., West Division Street at Thirtieth, St. Cloud, Minn.

Approval No. 160.002/42/0, Model 2, adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Atlas Products, 2459 University Avenue, St. Paul 14, Minn.

Approval No. 160.002/43/0, Model 6, child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Atlas Products, 2459 University Avenue, St. Paul 14, Minn.

Approval No. 160.002/44/0, Model 2, adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seattle Quilt Manufacturing Co., Inc., 310 First Avenue, South, Seattle 4, Wash.

Approval No. 160.002/45/0, Model 6, child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Seattle Quilt Manufacturing Co., Inc., 310 First Avenue, South, Seattle 4, Wash.

(R. S. 4405, 4417a, 4426, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 481, 489, 490, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.002)

CLEANING PROCESS FOR LIFE PRESERVERS

NOTE: Where buoyancy fillers are not removed from envelope covers during cleaning process.

Approval No. 160.006/22/0, Northwest cleaning process for cork and kapok life preservers, as outlined in description of process submitted with letter of November 24, 1953, from Northwest Industrial Laundry Co., 1848 Northwest Twenty-third Avenue, Portland 10, Oreg.

(R. S. 4405, 4417a, 4426, 4482, 4488, 4491, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391, 396, 404, 475, 481, 489, 526e, 526p, 1333, 50 U. S. C. App. 1275; 46 CFR 160.006)

BUOYANT CUSHIONS, KAPOK, STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.007/76/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Helendon Bedding, Inc., 730 West Lexington Street, Baltimore 1, Md. (Extension of the approval published in the FEDERAL REGISTER December 31, 1948, effective December 31, 1953.)

Approval No. 160.007/139/0, Standard kapok buoyant cushion, U. S. C. G. Spec-

ification Subpart 160.007, manufactured by The American Pad & Textile Co., Greenfield, Ohio, for Gamble-Skogmo, Inc., 15 North Eighth Street, Minneapolis 3, Minn.

Approval No. 160.007/140/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Merit Manufacturing Corp., 92-15 One Hundred and Seventy-second Street, Jamaica 3, N. Y., for Revere Supply Co., Inc., 30 Front Street, New York 4, N. Y.

Approval No. 160.007/141/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Style-Crafters, Inc., Box 3312, Station A, Greenville, S. C., for Southern Sales Co., 920 Lafayette Building, Philadelphia, 6, Pa.

Approval No. 160.007/143/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Style-Crafters, Inc., Box 3312, Station A, Greenville, S. C., for Harry Miller Co., 244 Atlantic Avenue at Central Wharf, Boston 10, Mass.

Approval No. 160.007/144/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Sunde & d'Evers Co., Colman Ferry Terminal, Seattle 4, Wash.

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 489, 526e, 526p; 46 CFR 160.007)

BUOYANT CUSHIONS, NON-STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.008/404/0, 15" x 15" x 2" rectangular buoyant cushion, 20-oz. kapok, specifications contained in manufacturer's letter dated January 11, 1949, manufactured by the Holiday Line, Inc. (formerly Plasticronics, Inc.), 54 Greene Street, New York 13, N. Y. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

Approval No. 160.008/594/0, 15" x 15" x 2" rectangular buoyant cushion, 36-oz. fibrous glass, dwg. dated October 23, 1953, manufactured by Fiberglass-Evercoat Co., 407 West Court Street, Cincinnati 3, Ohio.

Approval No. 160.008/595/0, 14" x 18" x 2" rectangular buoyant cushion, 22-oz. kapok, American Pad & Textile Co. dwg. Nos. B-66, dated January 23, 1942, revised March 6, 1946, and A-87, dated March 16, 1953, manufactured by the American Pad & Textile Co., Greenfield, Ohio, for Gamble-Skogmo, Inc., 15 North Eighth Street, Minneapolis 3, Minn.

Rectangular buoyant cushions manufactured by the Safegard Corp., Box 66, Station B, Cincinnati, Ohio, dwg. dated October 31, 1953, in the following sizes with the amount of kapok indicated for each size:

Approval No.	Size (Inches)	Kapok (ounces)
160.008/596/0	14 x 18 x 2	23½
160.008/597/0	14 x 20 x 2	25
160.008/598/0	14 x 36 x 2	45
160.008/599/0	14 x 54 x 2	67

Approval No. 160.008/601/0, 15" x 15" x 2" rectangular buoyant cushion,

20-oz. kapok, Merit Manufacturing Corp. dwg. dated November 11, 1953, manufactured by Merit Manufacturing Corp., 92-15 172d St., Jamaica 3, N. Y., for Revere Supply Co., Inc., 30 Front Street, New York 4, N. Y.

Approval No. 160.008/602/0, 13" x 21" x 2" rectangular buoyant cushion, 20-oz. kapok, Style-Crafters, Inc., dwg. No. MKO(S)-21, dated October 29, 1953, manufactured by Style-Crafters, Inc., Box 3312, Station A, Greenville, S. C., for Southern Sales Co., 920 Lafayette Building, Philadelphia 6, Pa.

Approval No. 160.008/603/0, 15" x 15" x 2" rectangular buoyant cushion, 20-oz. kapok, Style-Crafters, Inc., dwg. No. MKP-15, dated December 9, 1952, manufactured by Style-Crafters, Inc., Box 3312, Station A, Greenville, S. C., for Southern Sales Co., 920 Lafayette Building, Philadelphia 6, Pa.

Approval No. 160.008/605/0, 15" x 15" x 2" rectangular buoyant cushion, 20-oz. kapok, specifications dated December 10, 1953, manufactured by Willis Manufacturing Co., 3007 Huldy, Houston, Tex.

Approval No. 160.008/606/0, 15" x 15" x 2" rectangular buoyant cushion, 20-oz. kapok, Style-Crafters, Inc., dwg. No. MKP-15, dated December 9, 1952, manufactured by Style-Crafters, Inc., Box 3312, Station A, Greenville, S. C., for Harry Miller Co., 244 Atlantic Avenue at Central Wharf, Boston 10, Mass.

Approval No. 160.008/607/0, 15" x 24 1/2" x 2" rectangular buoyant cushion, 33-oz. kapok, dwg. No. 10, dated December 24, 1953, manufactured by Stearns Manufacturing Co., West Division Street at 30th, St. Cloud, Minn.

Approval No. 160.008/608/0, 15" x 27" x 2" rectangular buoyant cushion, 36-oz. kapok, dwg. No. 11, dated December 24, 1953, manufactured by Stearns Manufacturing Co., West Division Street at 30th, St. Cloud, Minn.

(R. S. 4405, 4491, 54 Stat. 164, 166, as amended; 46 U. S. C. 375, 489, 526e, 526p; 46 CFR 160.008)

WINCH, LIFEBOAT

Approval No. 160.015/50/1, Type HM lifeboat winch for use with mechanical davits, fitted with wire rope not more than 1/2-inch in diameter and with not more than 7 wraps of the falls on the drums, approval is limited to mechanical components and for a maximum working load of 6,600 pounds pull at the drums (3,300 pounds per fall); identified by left hand assembly dwg. No. L-22000-E3 dated April 8, 1949, and revised June 19, 1951, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.015/50/0 published in the FEDERAL REGISTER October 4, 1951.)

(R. S. 4405, 4417a, 4426, 4483, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 160.015)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Approval No. 160.017/4/2, Type 241-A embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 241-A, dated February 21, 1950, revised Decem-

ber 9, 1953, manufactured by Great Bend Manufacturing Corp., George Washington Bridge Plaza, Fort Lee, N. J. (Supersedes Approval No. 160.017/4/1 published in the FEDERAL REGISTER July 25, 1950.)

Approval No. 160.017/5/2, Type 241-B, embarkation-debarkation ladder, chain suspension, aluminum ears, dwg. No. 241-B, dated February 21, 1950, revised December 9, 1953, manufactured by Great Bend Manufacturing Corp., George Washington Bridge Plaza, Fort Lee, N. J. (Supersedes Approval No. 160.017/5/1 published in the FEDERAL REGISTER July 25, 1950.)

Approval No. 160.017/17/1, Fig. 017-S, C, embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 017-1, rev. F, dated November 24, 1953, manufactured by Allain Marine Sales Co., 2122 Kentucky Street, New Orleans, La. (Supersedes Approval No. 160.017/17/0 published in the FEDERAL REGISTER October 6, 1953.)

Approval No. 160.017/18/1, Fig. 017-A, C, embarkation-debarkation ladder, chain suspension, aluminum ears, dwg. No. 017-1, rev. F, dated November 24, 1953, manufactured by Allain Marine Sales Co., 2122 Kentucky Street, New Orleans, La. (Supersedes Approval No. 160.017/18/0 published in the FEDERAL REGISTER October 6, 1953.)

(R. S. 4405, 4426, 4483, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 404, 481, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 59.63, 76.56a, 94.55a, 113.47a, 160.017)

NOZZLES, WATER SPRAY (1 1/2 INCH FIXED TYPE)

Approval No. 160.025/11/0, Model L-11 A, water spray nozzle, dwg. No. S-120 dated April 18, 1941, rev. January 18, 1944, and dwg. No. S-121 dated April 18, 1941, rev. November 3, 1945, manufactured by Rockwood Sprinkler Co., 38 Harlow Street, Worcester 5, Mass. (Extension of the approval published in the FEDERAL REGISTER December 31, 1948, effective December 31, 1953.)

(R. S. 4405, 4417a, 4426, 4491, 49 Stat. 1544, 54 Stat. 1028, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 489, 463a, 50 U. S. C. App. 1275; 46 CFR 34.10-40, 76.10-10, 95.10-10)

CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/24/0, Container for emergency drinking water, dwg. dated October 6, 1953, manufactured by Scientific Distilling Co., 12710 Aurora Avenue, Seattle 33, Wash.

(R. S. 4405, 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 33.15-1, 75.20-15 (kk), 75.20-20 (n), 94.20-15 (ii), 94.20-20 (n))

DAVITS, LIFEBOAT

Approval No. 160.032/47/2, gravity davit, type G-105S (formerly type 60-75), approved for maximum working load of 21,000 pounds per set (10,500 pounds per arm), using 2 part falls, identified by arrangement dwg. No. 3368-2, rev. A dated September 11, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel

Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No. 160.032/47/1 published in the FEDERAL REGISTER February 18, 1953.)

Approval No. 160.032/142/0, mechanical davit, straight boom sheath screw, type 24-40 MKII, approved for maximum working load of 12,000 pounds per set (6,000 pounds per arm), identified by general arrangement dwg. No. 5011-1E, rev. A dated September 2, 1953, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

(R. S. 4405, 4417a, 4426, 4481, 4483, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 1333, 50 U. S. C. 1275; 46 CFR 160.032)

LIFEBOATS

Approval No. 160.035/9/1, 14.0' x 5.0' x 2.2' steel, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement dwg. No. G-1409 dated September 29, 1953, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Reinstates and supersedes Approval No. 160.035/9/0 terminated in the FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/54/1, 26.0' x 8.3' x 3.6' aluminum, oar-propelled lifeboat, 46-person capacity, identified by construction and arrangement dwg. No. 2815-A dated March 5, 1953, and revised November 2, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/54/0 terminated in the FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/66/1, 36.5' x 11.75' x 5.25' aluminum, hand-propelled lifeboat, 135-person capacity, identified by construction and arrangement dwg. No. 2894-A dated April 24, 1945, and revised November 12, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.035/66/0 terminated in the FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/94/1, 20.0' x 6.0' x 2.5' steel, oar-propelled lifeboat, 18-person capacity, identified by general arrangement and construction dwg. No. 49R-2020 dated May 5, 1950, and revised November 23, 1953, manufactured by Lane Lifeboat & Davit Corp., 8920 Twenty-sixth Avenue, Brooklyn 14, N. Y. (Reinstates and supersedes Approval No. 160.035/94/0 terminated in the FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/307/0, 16.0' x 5.5' x 2.38' aluminum, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement dwg. No. 3473 dated April 7, 1953, and revised November 19, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

Approval No. 160.035/315/0, 28.0' x 9.0' x 4.0' steel, motor-propelled lifeboat without radio cabin (Class B), 50-person capacity, identified by construction and arrangement dwg. No. 3486 dated August 10, 1953, and revised January 15, 1954, manufactured by Welin Davit and Boat

Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490, 1333, 50 U. S. C. App. 1275; 46 CFR 160.035)

LIGHTS (WATER): ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/1/1, automatic floating electric water light (with bracket for mounting), dwg. No. 1000 dated July 16, 1948, alt. 2, manufactured by Sea Light Engineering Co., P. O. Box 409, Silver Spring, Md. (Extension of the approval published in FEDERAL REGISTER December 31, 1948, effective December 31, 1953.)

(R. S. 4405, 4417a, 4426, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 161.001)

FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/5/0, No. 1918 watertight flashlight, Type I, size No. 2 (2-cell), identified by assembly dwg. No. F-896-3C dated September 27, 1948, and revised October 6, 1948, manufactured by Bright Star Battery Co., Clifton, N. J. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

Approval No. 161.008/6/0, No. 1925 watertight flashlight, Type I, size No. 3 (3-cell), identified by assembly dwg. No. F-896-3C dated September 27, 1948, and revised October 6, 1948, manufactured by Bright Star Battery Co., Clifton, N. J. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

Approval No. 161.008/7/0, No. 1917 explosion-proof flashlight, Type II, size No. 2 (2-cell), identified by assembly dwg. No. F-894-3C dated September 24, 1948, and revised October 5, 1948, manufactured by Bright Star Battery Co., Clifton, N. J. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

Approval No. 161.008/8/0, No. 1924 explosion-proof flashlight, Type II, size No. 3 (3-cell), identified by assembly dwg. No. F-894-3C dated September 24, 1948, and revised October 5, 1948, manufactured by Bright Star Battery Co., Clifton, N. J. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

(R. S. 4405, 4417a, 4426, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 481, 1333, 50 U. S. C. App. 1275; 46 CFR 161.008)

VALVES, SAFETY (POWER BOILERS)

Approval No. 162.001/64/2, Type Series 1515B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 750° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HB
2"	1515JB
2½"	1515KB
3"	1515LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/64/1 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/65/2, Type Series 1515C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 900° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HC
2"	1515JC
2½"	1515KC
3"	1515LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/65/1 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/66/2, Type Series 1515A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 650° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HA
2"	1515JA
2½"	1515KA
3"	1515LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/66/1 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/98/1, Series #5-102, bronze body pop safety valve, enclosed spring, maximum pressure 300 p. s. i., maximum temperature 450° F., dwg. No. 5-102, dated December 14, 1948, approved for sizes 1½", 2", 2½", and 3", manufactured by Marine & Industrial Products Co., 3731-35 Filbert Street, Philadelphia 4, Pa. (Supersedes Approval No. 162.001/98/0 published in the FEDERAL REGISTER February 19, 1949.)

Approval No. 162.001/99/1, Series #5-101, bronze body pop safety valve, enclosed spring, maximum pressure 150 p. s. i., maximum temperature 366° F., dwg. No. 5-101, dated December 14, 1948, approved for sizes 1½", 2", 2½", and 3", manufactured by Marine & Industrial Products Co., 3731-35 Filbert Street, Philadelphia 4, Pa. (Supersedes Approval No. 162.001/99/0 published in the FEDERAL REGISTER February 19, 1949.)

Approval No. 162.001/141/1, Type Series 1415A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 650° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FA
1½"	1415GA
1½"	1415HA
2"	1415HA
2½"	1415JA
3"	1415KA
4"	1415LA
4"	1415NA

Maximum pressure limited to 450 p. s. i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Super-

sedes Approval No. 162.001/141/0 published in the FEDERAL REGISTER June 1, 1951.)

Approval No. 162.001/142/1, Type Series 1415B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 750° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FB
1½"	1415GB
1½"	1415HB
2"	1415HB
2½"	1415JB
3"	1415KB
4"	1415LB
4"	1415NB

Maximum pressure limited to 450 p. s. i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/142/0 published in the FEDERAL REGISTER June 1, 1951.)

Approval No. 162.001/143/1, Type Series 1415C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 900° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FC
1½"	1415GC
1½"	1415HC
2"	1415HC
2½"	1415JC
3"	1415KC
4"	1415LC
4"	1415NC

Maximum pressure limited to 450 p. s. i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/143/0 published in the FEDERAL REGISTER June 1, 1951.)

Approval No. 162.001/153/1, Type Series 1555A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 650° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HA
2"	1555JA
2½"	1555KA
3"	1555LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/153/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/154/1, Type Series 1555B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 750° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HB
2"	1555JB
2½"	1555KB
3"	1555LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/154/0 pub-

lished in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/155/1, Type Series 1555C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 900° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HC
2"	1555JC
2½"	1555KC
3"	1555LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/155/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/156/1, Type Series 1555D, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p. s. i., maximum temperature 1,000° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HD
2"	1555JD
2½"	1555KD
3"	1555LD

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/156/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/158/1, Type Series 1556A, carbon steel body pop safety valve, exposed spring, maximum pressure 900 p. s. i., maximum temperature 650° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HA
2"	1556JA
2½"	1556KA
3"	1556LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/158/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/160/1, Type Series 1556B, carbon steel body pop safety valve, exposed spring, maximum pressure 900 p. s. i., maximum temperature 750° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HB
2"	1556JB
2½"	1556KB
3"	1556LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/160/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/162/1, Type Series 1556C, alloy steel body pop safety valve, exposed spring, maximum pressure 900 p. s. i., maximum temperature 900° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

No. 58—4

Size:	Type No.
1½"	1556HC
2"	1556JC
2½"	1556KC
3"	1556LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/162/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/164/1, Type Series 1556D, alloy steel body pop safety valve, exposed spring, maximum pressure 900 p. s. i., maximum temperature 1,000° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HD
2"	1556JD
2½"	1556KD
3"	1556LD

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/164/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/169/1, Type Series 1557A, carbon steel body pop safety valve, exposed spring, maximum pressures 1,200 p. s. i. and 1,500 p. s. i., maximum temperature 650° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (inches)	Type No.	
	1,200 p. s. i.	1,500 p. s. i.
1½"	1557FA	1557GA
2"	1557HA	1557JA
2½"	1557KA	1557LA
3"	1557LA	1557JA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/169/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/171/1, Type Series 1557B, carbon steel body top safety valve, exposed spring, maximum pressures 1,200 p. s. i. and 1,500 p. s. i., maximum temperature 750° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (inches)	Type No.	
	1,200 p. s. i.	1,500 p. s. i.
1½"	1557FB	1557GB
2"	1557HB	1557JB
2½"	1557KB	1557LB
3"	1557LB	1557JB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/171/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/173/1, Type Series 1557C, alloy steel body pop safety valve, exposed spring, maximum pressures 1,200 p. s. i. and 1,500 p. s. i., maximum temperature 900° F., dwg. Nos. 3VE953 and 3VF953, revised November

10, 1953, approved for the following sizes and type numbers:

Size (inches)	Type No.	
	1,200 p. s. i.	1,500 p. s. i.
1½"	1557FC	1557GC
2"	1557HC	1557JC
2½"	1557KC	1557LC
3"	1557LC	1557JC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/173/0 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 162.001/175/1, Type Series 1557D, alloy steel body pop safety valve, exposed spring, maximum pressures 1,200 p. s. i. and 1,500 p. s. i., maximum temperature 1,000° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (inches)	Type No.	
	1,200 p. s. i.	1,500 p. s. i.
1½"	1557FD	1557GD
2"	1557HD	1557JD
2½"	1557KD	1557LD
3"	1557LD	1557JD

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Supersedes Approval No. 162.001/175/0 published in the FEDERAL REGISTER June 26, 1951.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 162.001)

BOILER, HEATING

Approval No. 162.003/78/1, Model 523C, horizontal water tube steam heating boiler, 1,075 pounds per hour, dwg. No. 38-8186-2, Rev. 2 dated December 8, 1953, maximum design pressure 30 p. s. i., approval limited to bare boiler, manufactured by The International Boiler Works Co., 1 Birch Street, East Stroudsburg, Pa. (Supersedes Approval No. 162.003/78/0 published in FEDERAL REGISTER February 8, 1949.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4434, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 412, 489, 1333, 50 U. S. C. App. 1275; 46 CFR Part 52)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-TETRACHLORIDE TYPE

Approval No. 162.004/21/2, General Quick Aid Fire Guard Model 85 HD, 1-quart carbon-tetrachloride type hand portable fire extinguisher, assembly dwg. No. BT-185-XK, Rev. C dated December 8, 1952, name plate dwg. No. AT-185-1D dated March 3, 1952, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich. (Supersedes Approval No. 162.004/21/1 published in FEDERAL REGISTER October 11, 1952.)

Approval No. 162.004/22/2, General Quick Aid Fire Guard Model 95 HD, 1½-quart carbon-tetrachloride type hand portable fire extinguisher, assembly dwg. No. BT-195-XK, Rev. D dated December 8, 1952, name plate dwg. No. AT-195-1D dated March 3, 1952, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich. (Supersedes Approval No. 162.004/22/1 published in FEDERAL REGISTER October 11, 1952.)

Approval No. 162.004/23/3, General Quick Aid Fire Guard Model 85 HD, 1-quart carbon-tetrachloride type hand portable fire extinguisher, assembly dwg. No. BT-185-XK, Rev. C dated December 8, 1952, name plate dwg. No. AT-185-1D dated March 3, 1952, no revision (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif. (Supersedes Approval No. 162.004/23/2 published in FEDERAL REGISTER October 11, 1952.)

Approval No. 162.004/54/1, General Quick Aid Fire Guard Model 95 HD, 1½-quart carbon-tetrachloride type hand portable fire extinguisher, assembly dwg. No. BT-195-XK, Rev. D dated December 8, 1952, name plate dwg. No. AT-195-1D dated March 3, 1952, no revision (Coast Guard classification: Type B, size I; and Type C, Size I), manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif. (Supersedes Approval No. 162.004/54/0 published in FEDERAL REGISTER October 11, 1952.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.30, 34.25-1, 76.50, 95.50)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Approval No. 162.005/13/1, C-O-Two Type PSA-5, 5-lb. carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. C-1102, Rev. 3 dated February 27, 1952, name plate dwg. No. C-1112 dated January 4, 1951 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by C-O-Two Fire Equipment Co., Box 390, Newark 1, N. J. (Supersedes Approval No. 162.005/13/0 published in FEDERAL REGISTER May 19, 1953.)

Approval No. 162.005/19/0, General Quick Aid Sno Fog Fire Guard, Model 10AK, squeeze grip valve, 10-pound carbon-dioxide hand portable fire extinguisher, assembly dwg. No. BC-210-X, Rev. A, dated September 6, 1946, name plate dwg. No. CC-210-1, revised June 27, 1947 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 490, 526g, 526p,

1333, 50 U. S. C. App. 1275; 46 CFR 25.30, 34.25, 76.50, 95.50)

FIRE EXTINGUISHERS, PORTABLE, HAND, WATER, CARTRIDGE-OPERATED TYPE

Approval No. 162.009/1/1, Kidde Model KAM Anti-Freeze (Symbol AM) cartridge-operated type 2½-gallon hand portable fire extinguisher, assembly dwg. No. 240223, Rev. C-1 dated February 23, 1952, cartridge assembly dwg. No. 907702, Rev. Z dated October 12, 1943, instruction panel dwg. No. 157083, Rev. A dated February 9, 1952 (Coast Guard classification: Type A, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N. J. (Supersedes Approval No. 162.009/1/0 published in FEDERAL REGISTER October 1, 1952.)

Approval No. 162.009/2/1, Kidde Model KWM Water (Symbol AM) cartridge-operated type 2½-gallon hand portable fire extinguisher, assembly dwg. No. 240222, Rev. F dated January 24, 1952, cartridge assembly dwg. No. 907702, Rev. Z dated October 12, 1943, instruction panel dwg. No. 157085, Rev. A dated February 9, 1952 (Coast Guard classification: Type A, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N. J. (Supersedes Approval No. 162.009/2/0 published in FEDERAL REGISTER October 1, 1952.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.30, 34.25, 76.50, 95.50)

APPLIANCE, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/58/0, 9000 Series range for liquefied petroleum gas service, approved by the American Gas Association, Inc., under certificate No. 1-917-57.001, manufactured by the Caloric Stove Corporation, Topton, Pa.

(R. S. 4405, 4417a, 4426, 4491, sec. 1, 2, 49 Stat. 1544, sec. 2, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 489, 1333, 50 U. S. C. App. 1275; 46 CFR 55.16-10)

INDICATORS, BOILER WATER LEVEL, SECONDARY TYPE

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 400 p. s. i. maximum pressure, dwg. No. D-6610-2 dated February 19, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/41/0	E400
162.025/42/0	E400-A
162.025/43/0	E400-B
162.025/44/0	E400-C

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 400 p. s. i. maximum pressure, dwg. No. D-6611-2 dated February 23, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/45/0	E401
162.025/46/0	E401-A
162.025/47/0	E401-B
162.025/48/0	E401-C

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 600 p. s. i. maximum pressure, dwg. No. 6612-2 dated February 10, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/49/0	E600
162.025/50/0	E601-A
162.025/51/0	E600-B
162.025/52/0	E600-C

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 600 p. s. i. maximum pressure, dwg. No. 6613-3 dated February 12, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/53/0	E601
162.025/54/0	E601-A
162.025/55/0	E601-B
162.025/56/0	E601-C

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 900 p. s. i. maximum pressure, dwg. No. 6614-3 dated February 14, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/57/0	E900
162.025/58/0	E900-A
162.025/59/0	E900-B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 900 p. s. i. maximum pressure, dwg. No. 6615-3 dated February 18, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/60/0	E901
162.025/61/0	E901-A
162.025/62/0	E901-B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 1500 p. s. i. maximum pressure, dwg. No. B-6616-2 dated March 1, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/63/0	E1500
162.025/64/0	E1500-A
162.025/65/0	E1500-B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 1500 p. s. i. maximum pressure, dwg. No. B-6617-2 dated February 25, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/66/0	E1501
162.025/67/0	E1501-A
162.025/68/0	E1501-B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 2500 p. s. i. maximum pressure, dwg. No. B-6618-3 dated March 2, 1949,

manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/69/0	E2000
162.025/70/0	E2000-A
162.025/71/0	E2000-B

Reliance Eye-Hye secondary type boiler water level indicators, remote reading 2,500 p. s. i. maximum pressure, dwg. No. 6619-3 dated February 24, 1949, manufactured by the Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.	Model No.
162.025/72/0	E2001
162.025/73/0	E2001-A
162.025/74/0	E2001-B

(R. S. 4405, 4417a, 4418, 4426, 4433, 4491, 49 Stat. 1544; 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. App. 1275; 46 CFR Part 52)

DECK COVERING

Approval No. 164.006/5/0, "Cel-O-Crete", magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG3610-1232, F. R. 1806, dated October 30, 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1 1/4 inch thickness, manufactured by Johns-Manville Sales Corp., 1617 Pennsylvania Boulevard, Philadelphia 3, Pa. (Extension of the approval published in FEDERAL REGISTER December 31, 1948, effective December 31, 1953.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, and sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 1333, 50 U. S. C. App. 1275; 46 CFR 164.006)

STRUCTURAL INSULATION

Approval No. 164.007/26/0, "Fiberglas Insulation PF-CG", glass wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG 10210-1536: FP2661 dated December 1, 1948, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in a 4-inch thickness and 6 pounds per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio. (Extension of the approval published in FEDERAL REGISTER February 8, 1949, effective February 8, 1954.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 1333, 50 U. S. C. App. 1275; 46 CFR 72.05, 92.05)

INCOMBUSTIBLE MATERIAL

Approval No. 164.009/28/0, "Baldwin-Hill Spun Felt" mineral wool insulation type incombustible material identical with that described in National Bureau of Standards Test Report No. TG10210-1921 FP 3257 dated December 16, 1953, approved in a density of from 3 to 4 pounds per cubic foot, manufactured by Baldwin-Hill Co., 500 Breunig Avenue, Trenton 2, N. J.

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 50 U. S. C. App. 1275; 46 CFR 164.009)

CORRECTION OF A PRIOR DOCUMENT

The Coast Guard Document CGFR 53-53 and Federal Register Document 53-10418 published in the FEDERAL REGISTER dated December 15, 1953, is corrected by changing the word "fire-tube" to "water tube" in Approval No. 162.003/150/1 under the heading "Boiler, Heating" (18 F. R. 8211); and by inserting the word "Marinwal-A" immediately after the Approval No. 164.008/31/0 appearing under the center heading "Bulkhead Panel" (18 F. R. 8212).

Dated: March 19, 1954.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 54-2109; Filed, Mar. 24, 1954;
8:54 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

FRANZISKA WALTER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Franziska Walter, a/k/a Fanny Walter, Furth near Krems, Austria; Claim No. 42069; Vesting Order No. 3265; All right, title and interest of Fanny Walter in and to the estate of J. P. O. Walter, also known as Joseph Francis Oscar Walter, deceased; in the process of administration by Mrs. Francis Horeley, Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco.

Executed at Washington, D. C., on March 19, 1954.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 54-2111; Filed, Mar. 24, 1954;
8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

An application, serial number Anchorage 026092, for the withdrawal from all forms of appropriation under the public land laws, of the lands described below was filed on March 31, 1952, by the Department of Agriculture. The purposes

of the proposed withdrawal: Proposed additions to Forest Service Administrative Sites.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Regional Administrator, Region VII, Bureau of Land Management, Department of the Interior at Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

KETCHIKAN MARINE STATION (ADDITION)

Beginning at corner No. 1 M. C. U. S. Survey 1079 on the north shore of Tongass Narrows; thence by meander following the approximate line of mean high tide: 1. S. 55° 30' E. 106 ft., 2. S. 69° 45' E. 46 ft., 3. S. 60° 15' E. 248 ft., Thence S. 24° 04' W. 245 ft.; thence N. 63° 58' W. 398 ft.; thence N. 24° 04' E. 270 ft. to place of beginning containing 2.34 acres.

JUNEAU ADMINISTRATIVE SITE (ADDITION)

Beginning at Corner No. 5 M. C. U. S. Survey 2313 on the north shore of Gastineau Channel at line of mean high tide: thence S. 47° W. 450 ft.; thence N. 40° 15' W. 1884 ft.; thence N. 47° E. 450 ft. to Corner No. 1 M. C. U. S. Survey 2306 on the north shore of Gastineau Channel at line of mean high tide. Thence by meander at line of mean high tide: 1. S. 48° 34' E. 1023.7 ft., 2. S. 50° 45' E. 229 ft., 3. S. 38° 14' E. 450 ft., 4. S. 42° 21' E. 181 ft. to place of beginning containing 18.94 acres.

FRED J. WEILER,

Chief,

Division of Land Planning.

[F. R. Doc. 54-2086; Filed, Mar. 24, 1954;
8:47 a. m.]

ALASKA

SHORESPACE RESTORATION ORDER NO. 508
AND SMALL TRACT CLASSIFICATION NO. 79

MARCH 3, 1954.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059; 48 U. S. C. 372), and pursuant to Delegation of Authority contained in sections 2.21 and 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior on August 20, 1951 (16 F. R. 8625), it is ordered as follows:

(a) Subject to valid existing rights, the 80-rod shore space reserve which is now or may hereafter be created under the act of May 14, 1898 (30 Stat. 409; 48 U. S. C. 371), as amended, is hereby revoked as to the public lands hereinafter described, which are situated in the Anchorage, Alaska, Land District and which

are hereby classified as chiefly valuable for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

JUNEAU AREA

FOR LEASE AND SALE

For Cabin Sites

U. S. Survey 2388: Lot H.

U. S. Survey 3060: Lots 1, 2, and 4.

Comprising 4 tracts aggregating 7.31 acres.

KETCHIKAN AREA

FOR LEASE AND SALE

For Home Sites

U. S. Survey 3021: Lots 72-83, inclusive.

Comprising 12 tracts aggregating 17.17 acres.

WRANGELL AREA

U. S. Survey 2900: Lots 18 and 19.

Comprising 2 tracts aggregating 5.58 acres.

(b) Subject to valid existing rights, the following described lands, which are situated in the Anchorage, Alaska, Land District are hereby classified as chiefly valuable for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

KETCHIKAN AREA

FOR LEASE AND SALE

For Home Sites

U. S. Survey 2808: Lots 24, 25, and 27.

Comprising 3 tracts aggregating 9.92 acres.

(c) The following described lands which were classified for lease and sale for home sites under Alaska Small Tract Classification Order No. 45 of October 10, 1951, shall become subject to disposition as provided in paragraph 3 of this order:

JUNEAU AREA

U. S. Survey 2305: Lots 2-15, inclusive.

Comprising 14 tracts aggregating 19.99 acres.

(d) The following described lands which were classified for lease and sale for home sites under Alaska Small Tract Classification Order No. 56 of May 2, 1952, shall become subject to disposition as provided in paragraph 3 of this order:

JUNEAU AREA

U. S. Survey 3159: Lots 2-13, inclusive.

Comprising 12 tracts aggregating 21.29 acres.

2. These lands have become available for Small Tract disposition through survey of open public domain, previous classification of surveyed lands, or restoration from the Tongass National Forest. They are located in the general vicinities of the cities of Juneau, Ketchikan, and Wrangell. The tracts are accessible by road and/or boat and all are covered with moderate to heavy stands of timber. The terrain varies from level to steep and rocky. The climate features the mild temperatures and heavy precipitation typical of southeast Alaska. Sewage disposal can be accomplished on individual tracts through septic tanks or cesspools

and water for domestic use is obtainable from hand-dug or drilled wells. The nearby cities provide churches, schools, business establishments, and other community facilities.

3. This classification order shall not otherwise become effective to change the status of any lands described herein or to permit the leasing of any such lands under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on March 31, 1954. At that time the lands described below shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection, as follows:

(a) *Ninety-one day period for preference right filings.* For a period of 91 days from 10:00 a. m. on March 31, 1954, to close of business on June 29, 1954 inclusive, preference will be given, as set forth above, to:

(1) Applications under the Small Tract Act of June 1, 1938, (52 Stat. 609; 43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and

(2) Applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by veterans and other qualified persons under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph.

(b) *Advance period for simultaneous preference right filings.* All applications filed by such veterans and other qualified persons, or by persons claiming preference rights superior to those of such veterans filed under the preceding paragraph (a) on March 17, 1954 or thereafter, up to and including 10:00 a. m. on March 31, 1954, shall be treated as simultaneously filed. All applications filed under the preceding paragraph (a) after 10:00 a. m. on March 31, 1954, shall be considered in the order of filing.

(c) *Date for non-preference right filings.* Commencing at 10:00 a. m. on June 30, 1954, any lands remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on June 9, 1954, or thereafter, up to and including 10:00 a. m. on June 30, 1954, shall be treated as simultaneously filed. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or which constitutes evidence of other facts

upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be made on Form 4-776 and shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938 shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938 will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, under the circumstances, are substantial, and are appropriate for the use for which the lease is issued. Leases will be issued for a period of two years, at an annual rental of \$5 for home sites and cabin sites, payable in advance for the entire lease period. Applications for extension for an additional period of one year shall be considered in appropriate cases. Every lease for land classified for lease and sale will contain an option to purchase clause and every such lessee may file an application to purchase at the sale price as provided in the lease.

7. All of the land will be leased in tracts varying in size from approximately 0.63 acre to approximately 3.67 acres, in accordance with the classification maps on file in the Land Office, Anchorage, Alaska. These tracts are appraised at prices ranging from \$75 to \$350.

8. Lessees must locate any wells or sewage disposal facilities in accordance with the laws and regulations of the Territory of Alaska.

9. The leases will be made subject to rights-of-way for road purposes and public utilities, as specified in the Classification and Appraisal Report on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, State, Territory, County, or Municipality, or by any agency thereof. In the discretion of the authorized officer of the Bureau of Land Management, these rights-of-way may be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

FRED J. WEILER,
Chief,

Division of Land Planning.

[F. R. Doc. 54-2085; Filed, Mar. 24, 1954;
8:47 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

An application, serial number Anchorage 025659, for the withdrawal from all forms of appropriation under the public land laws, of the lands described below was filed on October 12, 1953, by The Department of the Army. The purposes of the proposed withdrawal: Pipeline System Terminal Site.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Regional Administrator, Region VII, Bureau of Land Management, Department of the Interior at Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

T. 30 S., R. 50 E., CRM.
Sec. 15: N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

FRED J. WEILER,
Chief,

Division of Land Planning.

[F. R. Doc. 54-2098; Filed, Mar. 24, 1954;
8:51 a. m.]

ALASKA

ALASKA PUBLIC SALE ACT CLASSIFICATION NO. 14

MARCH 19, 1954.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), the following described land is classified for disposal under the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679, 43 U. S. C. 364a-364e) for industrial and commercial purposes:

Lots 7 and 8, Sec. 25, T. 4 N., R. 12 W., S. M. Containing 7.26 acres.

The above land will be offered for sale in accordance with regulations contained in 43 CFR 75.23. If no bid at the minimum acceptable price or above is made, the land may be held for future offering or the classification may be rescinded.

EARL G. HARRINGTON,
Acting Assistant Director.

[F. R. Doc. 54-2079; Filed, Mar. 24, 1954;
8:45 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS: WARM WATER FISHERY; CORRECTION

MARCH 16, 1954.

In FEDERAL REGISTER, Document 54-1506, appearing at page 1225 of the issue for Thursday, March 4, 1954, the time allowed in paragraph three for filing of objections is 30 days from the date of publication of the notice instead of 60 days.

RALPH J. MITCHELL,
Acting Regional Administrator.

[F. R. Doc. 54-2087; Filed, Mar. 24, 1954;
8:47 a. m.]

[Misc. 59320]

NEBRASKA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM NORTH PLATTE PROJECT

MARCH 19, 1954.

An order of the Bureau of Reclamation dated October 25, 1950, concurred in by the Acting Director, Bureau of Land Management, November 20, 1950, revoked the Departmental Order of February 11, 1903, so far as it withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388) the following described land in connection with the North Platte Project and provided that such revocation should not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 20 N., R. 50 W.,
Sec. 2, S $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 80 acres. This land is situated in the North Platte Drainage of Nebraska at an elevation of approximately 3,250 feet where the annual precipitation is approximately twelve inches. The topography is rough and bumpy with a wide draw running east and west through the land. The soil is sandy and subject to blowing when cultivated or when not protected by vegetation. The native vegetation consists of buffalo grass, sand grass and other native grasses. Wind erosion at the present time is moderate to severe. The land is primarily valuable for grazing and is not suitable for crop production. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection under the applicable public land laws, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period for veterans of World War II and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Inquiries concerning the lands shall be addressed to the Director, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

EARL G. HARRINGTON,
Acting Assistant Director.

[F. R. Doc. 54-2080; Filed, Mar. 24, 1954;
8:45 a. m.]

[Doc. 18, Region II]

NEVADA

ORDER PROVIDING FOR RESTORATION OF PUBLIC LANDS

MARCH 18, 1954.

In an exchange of lands consummated under the provisions of section 8 of the act of June 28, 1934, 48 Stat. 1272, as amended June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315g), the following-described lands have been reconveyed to the United States:

MOUNT DIABLO MERIDIAN

T. 34 N., R. 55 E.;
Sec. 1, Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

In accordance with Delegation of Authority Order 427, section 2.22, of the Director, Bureau of Land Management, Amendment No. 2, dated July 10, 1951, it is ordered that effective on the date of this publication, the above-described lands, comprising 204.59 acres in Elko County, Nevada, are hereby opened to disposition, subject to valid existing rights and the provisions of existing withdrawals.

This restoration, being made in furtherance of an exchange under section 8 of the act of June 28, 1934, 48 Stat. 1272, as amended by section 3 of the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315g), by which the offered lands will benefit federal land programs, it is not subject to the provisions contained in the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, granting preference rights to veterans of World War II and others.

The restored lands, having been found suitable by appropriate investigation, to exchange in furtherance of the federal land program as indicated above, are classified simultaneously with the time of their restoration for conveyance to the City of Elko, Nevada, in accordance with Exchange Application Nevada 010902.

Inquiries regarding these lands shall be addressed to the Manager, Land and Survey Office, Post Office Box 1950, Reno, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 54-2084; Filed, Mar. 24, 1954;
8:47 a. m.]

[Docket DA-414]

OREGON

RESTORATION ORDER UNDER FEDERAL POWER ACT

MARCH 15, 1954.

Pursuant to determination DA-414, Oregon, of the Federal Power Commission and in accordance with Order No. 427 section 2.22 (a) (4) of the Director,

Bureau of Land Management, approved August 16, 1950, 15 F. R. 5641, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals the lands hereinafter described so far as they are withdrawn and reserved for power purposes are hereby restored to disposition under the public land laws as provided by law, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. sec. 818), as amended.

WILLAMETTE MERIDIAN

T. 31 S., R. 41 E.;
Sec. 14, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described contain an aggregate of 120 acres.

The lands described have an elevation of 3,500 feet; the topography is level; and the soil is sandy clay loam. The lands are classified as grazing and agricultural in character and suitable for disposal under the public sale law or entry under the desert land law.

While any application which is filed will be considered on its merits, it is unlikely that any part of the restored lands will be classified for any use or disposal other than that shown above. No application for the lands may be allowed under the homestead, small tract, desert land, or any other nonmineral public land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

The lands described shall be subject to application by the State of Oregon for a period of 90 days from that of publication of this order in the FEDERAL REGISTER for right-of-way for public highways or as a source of materials for construction and maintenance of such highways, subject to section 24 of the Federal Power Act, as amended. This order shall not otherwise affect the status of the lands until 10:00 a. m. on the 91st day after the date of publication of this order in the FEDERAL REGISTER. At that time, the lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws and the 90-day preference filing period of veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Information showing the periods during which and conditions under which veterans and others may file application for these lands may be obtained on request in the Land Office, Portland, Oregon.

JOSEPH A. GAUONG,
Acting Regional Administrator.

[F. R. Doc. 54-2081; Filed, Mar. 24, 1954;
8:46 a. m.]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MARCH 17, 1954.

An application, serial number Idaho 04663, for the withdrawal from all forms

of appropriation under the public land laws, except none of the lands described below was filed on February 8, 1950, by United States Fish and Wildlife Service. The purposes of the proposed withdrawal: North Lake Wildlife Management Area, Idaho.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Regional Administrator, Region I, Bureau of Land Management, Department of the Interior at Swan Island Station, Portland 18, Oregon. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

T. 7 N., R. 35 E., B. M., Idaho;
Sec. 20, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 29, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 32, Lots 1, 2, 3 and 4.
T. 6 N., R. 35 E., B. M., Idaho;
Sec. 5, Lots 3 and 5;
Sec. 6, Lots 1, 2, 4, 5, and 6.
T. 7 N., R. 34 E., B. M., Idaho;
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$,
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 6 N., R. 34 E., B. M., Idaho;
Sec. 1, Lots 1, 2, 3, 4, 5, 6 and 7.
Sec. 2, N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 2,392.32 acres.

JOSEPH A. GAUONG,
Acting Regional Administrator.

[F. R. Doc. 54-2083; Filed, Mar. 24, 1954;
8:46 a. m.]

WASHINGTON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MARCH 17, 1954.

An application, serial number Washington 0710, for the withdrawal from all forms of appropriation under the public land laws, except none of the lands described below was filed on December 19, 1952, by The Corps of Engineers, U. S. Army. The purposes of the proposed withdrawal: Yakima Artillery and Anti-Aircraft Firing Range.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed

withdrawal may present their objections in writing to the Regional Administrator, Region I, Bureau of Land Management, Department of the Interior at Swan Island Station, Portland 18, Oregon. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

T. 12 N., R. 22 E., W. M.;
Sec. 2, Lots 1, 2 and 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 12 N., R. 23 E., W. M.;
Sec. 4, All.
T. 13 N., R. 20 E., W. M.;
Sec. 26, All.
T. 13 N., R. 21 E., W. M.;
Sec. 30, N $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 13 N., R. 22 E., W. M.;
Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$,
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 26, All.
Sec. 28, All.
Sec. 34, E $\frac{1}{2}$.
T. 13 N., R. 23 E., W. M.;
Sec. 18, Lots 2 & 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
S $\frac{1}{2}$,
Sec. 30, Lots 1, 3 & 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 32, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 34, All.
T. 14 N., R. 23 E., W. M.;
Sec. 6, Lots 1, 2, 3 & 4,
Sec. 20, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 15 N., R. 20 E., W. M.;
Sec. 2, Lots 1, 2, 3 & 4, S $\frac{1}{2}$ S $\frac{1}{2}$.
T. 15 N., R. 22 E., W. M.;
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 15 N., R. 23 E., W. M.;
Sec. 4, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 8, All.
Sec. 20, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ (excepting that portion lying easterly of the westerly line of the right-of-way of Chicago, Milwaukee, St. Paul and Pacific Railroad Company).
T. 16 N., R. 20 E., W. M.;
Sec. 24, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$,
Sec. 34, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 16 N., R. 21 E., W. M.;
Sec. 20, All.
T. 16 N., R. 22 E., W. M.;
Sec. 26, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 28, S $\frac{1}{2}$,
Sec. 32, All.
Sec. 34, All.
T. 16 N., R. 23 E., W. M.;
Sec. 30, Lots 3 & 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$,
13,298.84 acres

JOSEPH A. GAUONG,
Acting Regional Administrator.

[F. R. Doc. 54-2082; Filed, Mar. 24, 1954;
8:46 a. m.]

Bureau of Reclamation

NORTH PLATTE PROJECT, NEBRASKA

ORDER OF REVOCATION

OCTOBER 23, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Order of May 3, 1904, insofar as said order affects the following described land; provided, however, that such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described:

SIXTH PRINCIPAL MERIDIAN, NEBRASKA

T. 22 N., R. 52 W.,
Sec. 35, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The above area aggregates 40 acres.

G. W. LINEWEAVER,
Assistant Commissioner,
[Misc. 63850]

MARCH 19, 1954.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands are grazing lands, located approximately five miles northeast of Bayard, Nebraska. The topography is rolling and the soils are silty sand. Vegetative cover consists principally of blue grama and sand grass. The land lies on the top and slopes of a small divide. Any application that is filed will be considered on its merits. The lands will not be subject to use or occupancy until they have been classified.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection under the applicable public land laws, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans of World War II and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended.

Inquiries concerning the lands shall be addressed to the Director, Bureau of Land Management, Department of the Interior, Washington 25, D. C.

EARL G. HARRINGTON,
Acting Assistant Director,
Bureau of Land Management.[P. R. Doc. 54-2088; Filed, Mar. 24, 1954;
8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OKLAHOMA

DESIGNATION OF AREA FOR PRODUCTION
EMERGENCY LOANS AND ECONOMIC EMERGENCY LOANS

For the purpose of making loans pursuant to section 2 (a) of Public Law 38, 81st Congress, it is found that in the

counties listed below a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the delegation of authority from the Administrator, Federal Civil Defense Administration (18 F. R. 4609) and for the purpose of making loans pursuant to section 2 (b) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress, it is determined that the counties listed below are within the area affected by the major disaster occasioned by drought determined by the President on June 26, 1953, pursuant to Public Law 875, 81st Congress. It is also determined that an economic disaster exists in said counties that has caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular loan programs, or other responsible sources.

OKLAHOMA

Atoka.
Bryan.
Choctaw.
Coal.
Creek.
Haskell.
Hughes.
Johnston.
Latimer.
Le Flore.
Lincoln.
McCurtain.
McIntosh.
Marshall.
Muskogee.Nowata.
Okfuskee.
Okmulgee.
Osage.
Pawnee.
Payne.
Pittsburg.
Pontotoc.
Pottawatomie.
Pushmataha.
Seminole.
Sequoyah.
Tulsa.
Washington.

After December 31, 1954, loans under section 2 (a) or 2 (b) of Public Law 38, 81st Congress, as amended, will not be made in the above named counties except to borrowers who previously received such assistance.

Done at Washington, D. C., this 19th day of March 1954.

[SEAL]

TRUE D. MORSE,
Acting Secretary.[P. R. Doc. 54-2097; Filed, Mar. 24, 1954;
8:50 a. m.]FEDERAL COMMUNICATIONS
COMMISSION

[Docket No. 10346]

JAMES GERITY, JR.

MEMORANDUM OPINION AND ORDER MODIFYING ISSUES

In re application of James Gerity, Jr., Pontiac, Michigan, Docket No. 10346, File No. BP-8651; for construction permit.

1. This proceeding involves a petition by WKMH, Inc., licensee of Station WKMF, which it submits in connection with the above-entitled application which was designated for hearing following a protest under section 309 (c) of the Act against an earlier grant of the application without hearing. The matter was designated for hearing by the Commission's memorandum opinion and order released August 7, 1953. Certain issues were specified in that order, and the Commission placed on the protestant the

burden of proof and the burden of proceeding with the introduction of evidence. The WKMF petition asks that the burdens of proof and of proceeding with the introduction of evidence be placed on Gerity, and that certain changes be made in the designated hearing issues. These matters are set out in detail below.

2. On November 12, 1952, the Commission adopted an order providing for a consolidated hearing on the Gerity and two other mutually exclusive applications to use 1460 kilocycles in Pontiac, Michigan. Because of the prospect of interference which the proposed Gerity station would cause, the Commission designated an issue to that effect and WKMF (then called WCLC) was made a party respondent. Subsequently, the other two applicants dismissed their applications. On January 22, 1953, Gerity petitioned for reconsideration and grant of his application without hearing. On May 8, the Commission granted Gerity's petition and application.

3. On June 8, WKMF filed a petition renewing its objection to the proposed Gerity station and asking the Commission, under the authority of section 405 of the Communications Act, to (1) reconsider its grant to Gerity, (2) designate the application for hearing on the original issues of November 12, 1952, and (3) set aside the Gerity grant until final disposition of the hearing. WKMF asked that if section 405 were not applicable, its petition be treated as a protest under section 309 (c) of the act.

4. After holding several discussions relative to elimination of the prospective interference, Gerity and WKMF filed a joint motion on June 17, 1953 in which Gerity consented to WKMF's petition insofar as it constituted a protest under section 309 (c), and WKMF withdrew its petition insofar as it constituted a request for reconsideration under section 405 and asked that its petition be considered solely as a section 309 (c) protest.

5. On August 7, 1953, the Commission released its memorandum opinion and order in which it postponed the effective date of the grant to Gerity, designated the application for hearing pursuant to section 309 (c), and listed, but specifically refused to adopt as its own, the following hearing issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WKMF.

¹ Section 309 (c) provides in pertinent part, as follows: " * * * In any hearing subsequently held * * * with respect to all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant * * * "

Flint, Michigan, and, if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary service to such areas and populations, and the nature and character of the program service now being rendered by Station WKMF to such areas and populations.

Although the August 7 document inadvertently contained some ambiguous language, it is clear that the parties had intended that the pleading be considered a section 309 (c) protest and that the relief afforded by the Commission was in significant respects that contemplated by that section.

6. In its instant petition, WKMF requests that the Commission transfer the burdens of proof and of proceeding with the introduction of evidence to applicant Gerity, and asks that the issues be amended to read as follows:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the primary services and the nature and character of program services available to such areas and populations.

2. To determine the type and character of program service proposed to be rendered by the applicant and whether it would meet the requirements of the areas and populations proposed to be served.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WKMF, Flint, Michigan, and, if so, the nature and extent thereof, the areas and populations affected thereby, the primary services available to such areas and populations, and the nature and character of program services now being rendered to such areas and populations.

4. To determine the nature and character of the program service Station WCAR will render to the areas and populations proposed to be served by the applicant after Station WCAR has moved to Detroit, Michigan.

5. To determine whether, based on the findings made pursuant to the issues above, the public interest, convenience or necessity would be served by the grant of the above-entitled application.

7. Briefly, we are disposed to revise the issues in accordance with WKMF's requested issues, 1, 2, 3, and 5 since these are basically the issues specified by reference in the WKMF pleading of June 8, 1953 which was later clearly labeled by the parties as a section 309 (c) protest. We will decline WKMF's suggested issue 4 since this request comes long after the expiration of the 30-day protest period of section 309 (c), and we are not inclined on our own motion to include the issue. Lastly, we are of the view that the proceeding on the Gerity application is clearly a section 309 (c) hearing, and we can find no reason for reversing our original position that the burdens of proof and of going forward shall be placed upon the protestant.

8. Accordingly: *It is ordered*, This 18th day of March 1954, that the issues for hearing on the above-captioned application are modified to read as follows:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the primary services and the nature and character of program services available to such areas and populations.

2. To determine the type and character of program service proposed to be rendered by the applicant and whether it would meet the requirements of the areas and populations proposed to be served.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WKMF, Flint, Michigan, and, if so, the nature and extent thereof, the areas and populations affected thereby, the primary services available to such areas and populations, and the nature and character of program services now being rendered to such areas and populations.

4. To determine whether, based on the findings made pursuant to the issues above, the public interest, convenience or necessity would be served by the grant of the above-entitled application.

9. *It is further ordered*, That the above issues are not adopted by the Commission, and that, therefore, pursuant to the provisions of section 309 (c) of the Communications Act of 1934, as amended, the burden of proceeding with the introduction of evidence and the burden of proof shall be on the protestant.

Released: March 22, 1954.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2107; Filed, Mar. 24, 1954;
8:53 a. m.]

[Docket Nos. 10959, 10911]

LAWTON BROADCASTING CO., INC., AND
PHIL BIRD

ORDER DESIGNATING APPLICATION FOR CON- SOLIDATED HEARING ON STATED ISSUES

In re applications of Lawton Broadcasting Company, Inc., Lawton, Oklahoma, File No. BP-8840, Docket No. 10959; Phil Bird, Lawton, Oklahoma, File No. BP-9018, Docket No. 10911; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of March 1954:

The Commission having under consideration the above-entitled application of Lawton Broadcasting Company, Inc., for a construction permit for a standard broadcast station in Lawton, Oklahoma, to operate on 1600 kilocycles, with a power of 1,000 watts, unlimited time;

It appearing, that the Lawton Broadcasting Company is legally, technically and financially qualified to operate the station as proposed, but that the operation as proposed would result in mutually prohibitive interference with the proposed operation of Phil Bird at Lawton, Oklahoma (Docket No. 10911; File No. BP-9018) and that the proposed operation would not provide the minimum of interference-free service as recommended by the Standards of Good Engineering Practice within the proposed station's normally protected nighttime 4 mv/m and daytime (0.5 mv/m) contours; and

*Dissenting statement of Commissioner Hennock filed as part of original document.

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated November 25, 1953, of the above deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant failed to respond to the Commission's letter of November 25, 1953, and, as result thereof, the Commission on February 15, 1954, dismissed subject application of Lawton Broadcasting Company; and

It further appearing, that on February 24, 1954, the applicant requested the Commission to reconsider its action of February 15, 1954, dismissing its application and the Commission, after reconsidering, reinstated subject application effective March 3, 1954.

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application of Lawton Broadcasting Company is designated for hearing in a consolidated proceeding with the application of Phil Bird of Lawton, Oklahoma (Docket No. 10911, File No. BP-9018) at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations with particular reference to providing the recommended minimum of interference-free service within the proposed station's normally protected nighttime (4 mv/m) and daytime (0.5 mv/m) contours.

3. To determine, on a comparative basis, whether the operation proposed in the above-entitled application or that proposed in the application submitted by Phil Bird for Lawton, Oklahoma (File No. BP-9018) would best serve the public interest, convenience or necessity in light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the applicants to own and operate the proposed stations.

(b) The proposals of each of the applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

It is further ordered, That issue 3 set forth above is made one of the issues in the hearing designed by the Commission in its order of February 17, 1954, concerning the application of Phil Bird,

Lawton, Oklahoma (Docket No. 10911; File No. BP-9018).

Released: March 22, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2108; Filed, Mar. 24, 1954;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6545]

COMMUNITY PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

MARCH 19, 1954.

Notice is hereby given that on March 18, 1954, the Federal Power Commission issued its order adopted March 17, 1954, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-2100; Filed, Mar. 24, 1954;
8:51 a. m.]

[Docket Nos. IT-6087, IT-6088, IT-6089,
IT-6090, E-6331]

BONNEVILLE PROJECT, COLUMBIA RIVER,
WASHINGTON-OREGON

NOTICE OF ORDER CONFIRMING AND APPROVING RATE SCHEDULES

MARCH 19, 1954.

Notice is hereby given that on March 18, 1954, the Federal Power Commission issued its order adopted March 17, 1954, confirming and approving rate schedules in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-2101; Filed, Mar. 24, 1954;
8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 30-68]

DERBY GAS & ELECTRIC CORP.

ORDER DECLARING REGISTERED HOLDING COMPANY HAS CEASED TO BE HOLDING COMPANY AND TERMINATING REGISTRATION

MARCH 18, 1954.

The Housatonic Public Service Company, a public-utility company, and the successor of Derby Gas & Electric Corporation ("Derby"), a registered holding company, has filed an application with this Commission for an order under section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") declaring that Derby has ceased to be a holding company and that its registration as such under the act unconditionally ceased to be in effect as of the close of business on December 31, 1953, subject, however, to the continuation of the reservations of jurisdiction with respect to the allowance and payment of fees and expenses incurred in connection

with the plan and merger of Derby and its subsidiaries (other than the Derby Gas and Electric Corporation of Connecticut) into and with said the Derby Gas and Electric Corporation of Connecticut and the proceedings had with respect thereto contained in the Commission's order of October 9, 1953 (Holding Company Act Release No. 12165).

Due notice having been given of the filing of said application, and a hearing not having been requested or ordered by the Commission; and it appearing to the Commission that Derby has ceased to be a holding company and the said application should be granted:

It is hereby ordered and declared, That Derby has ceased to be a holding company, and that the registration of Derby as a holding company has ceased to be in effect as of the close of business on December 31, 1953, subject, however, to a continuation of the reservations of jurisdiction with respect to the allowance and payment of fees and expenses incurred in connection with the foregoing plan and merger and the proceedings had with respect thereto contained in the Commission's order of October 9, 1953.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-2091; Filed, Mar. 24, 1954;
8:49 a. m.]

[File No. 812-826]

NATIONAL FOOD PRODUCTS CORP.

NOTICE OF APPLICATION FOR ORDER DECLAR- ING THAT COMPANY IS NOT AN INVEST- MENT COMPANY

MARCH 18, 1954.

Notice is hereby given that National Food Products Corporation ("National Food"), Boston, Massachusetts, has filed an application pursuant to section 3 (b) (2) of the Investment Company Act of 1940 ("act") for an order declaring it to be primarily engaged through a controlled company in a business other than that of investing, reinvesting, owning, holding, or trading in securities.

The application states that for several years prior to 1940 National Food, a Maryland corporation organized in 1925, controlled two subsidiaries each of which was engaged in operating a chain of food stores, and that during 1940 these subsidiaries were merged and the name of the surviving corporation was changed to Colonial Stores, Incorporated ("Colonial Stores"). Since the merger Colonial Stores has been continuously engaged in the operation of a chain of food stores, or supermarkets, and now operates in the States of Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, and Florida. Colonial Stores' sales amounted to \$214,995,018 for the fiscal year ended December 27, 1952.

The application also states that as of December 31, 1940, following the merger, National Food owned 149,590 shares or 61 percent of the common stock of Colonial Stores then outstanding. In addition National Food also owned 21,500

shares of the common stock of H. C. Bohack Company, Inc., or about 20 percent of that company's then outstanding common stock; 4,330 shares of common stock of United States Stores Corporation; and 600 shares of common stock of Philadelphia Dairy Products Company, Inc. At that time, the market value of National Food's majority holdings of the common stock of Colonial Stores exceeded 95 percent of the value of National Food's total assets, exclusive of Government securities and cash items.

Subsequently, as a result of a split of Colonial Stores' common stock, and the distribution by that company of dividends payable in its common stock, and the purchase by National Food of additional shares of Colonial Stores' common stock, National Food's holdings of Colonial Stores' common stock have increased to 400,830 shares. However, as a result of the acquisition of Colonial Stores' common stock during that period by others than National Food and despite the fact that National Food has not disposed of any shares of such stock, National Food's proportionate ownership of such stock has declined to 49.7 percent of the total outstanding.

As of February 1953, National Food's interest in the common stock of Colonial Stores had a market value of approximately \$12,000,000, equal to about 85.7 percent of the then value of National Food's total assets. National Food's income in 1952 totalled \$776,798 of which \$668,048 or 86 percent thereof was derived from dividends on Colonial Stores' common stock.

The changes in National Food's portfolio since 1940 other than those relating to Colonial Stores are as follows: The 21,500 shares of common stock of H. C. Bohack Company, Inc. have been changed into 86,000 shares as a result of a 4 for 1 stock split; National Food has sold for an aggregate consideration of about \$4,500 its interests in Philadelphia Dairy Products Company, Inc., and P. H. Butler Company (which National Food had received during 1941 in exchange for its holdings of United States Stores Corporation as a result of the reorganization thereof); in 1950 and 1951 National Food acquired for a consideration of \$100,000 an interest in Everywoman's Magazine, Inc., which company publishes a magazine for sale in chain food stores.

National Food states that since the 1940 merger it has controlled Colonial Stores; that National Food's officers and directors have supervised the affairs of Colonial Stores, formulated the latter's major policies and controlled its major business decisions, and that National Food has been primarily engaged in the chain food store business through Colonial Stores and intends to remain in such business through Colonial Stores. All of National Food's eight directors are now members of Colonial Stores' board of directors of 15 members and three of National Food's directors, including its president, are members of Colonial Stores' five member Executive Committee.

Section 3 (b) (2) of the act, among other things, excepts from the definition of an investment company contained in

section 3 (a) (3), any issuer which the Commission finds and by order declares to be primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities, either directly or through controlled companies conducting similar types of businesses.

Notice is further given that any interested person may, not later than March 31, 1954, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-2092; Filed, Mar. 24, 1954;
8:49 a. m.]

[File No. 70-3202]

CAPE & VINEYARD ELECTRIC CO. ET AL.

NOTICE OF PROPOSED BANK BORROWINGS

In the matter of Cape & Vineyard Electric Company, New Bedford Gas and Edison Light Company, New Hampshire Electric Company, Plymouth County Electric Company, File No. 70-3202.

Notice is hereby given that Cape & Vineyard Electric Company ("Cape"), New Bedford Gas and Edison Light Company ("New Bedford"), New Hampshire Electric Company ("New Hampshire"), and Plymouth County Electric Company ("Plymouth"), public-utility subsidiaries of New England Gas and Electric Association, a registered holding company, have filed with this Commission a joint application pursuant to the Public Utility Holding Company Act of 1935

("act"), designating section 6 (b) thereof as applicable to the several proposed transactions, which are summarized as follows:

The applicants propose to borrow, on notes payable to The First National Bank of Boston, funds not exceeding the aggregate amounts set forth below:

Cape	\$2,700,000
New Bedford	2,500,000
Plymouth	1,200,000
New Hampshire	500,000

Cape, New Bedford and Plymouth propose to borrow funds from time to time prior to December 31, 1955, evidenced by notes maturing more than one year after date thereof but not later than December 31, 1957, bearing interest at the prime Boston rate for commercial paper plus $\frac{1}{2}$ of 1 percent, with a maximum of $3\frac{3}{4}$ percent and a minimum of $3\frac{1}{4}$ percent, such interest rate to be adjusted every 90 days for any change in the existing prime rate within said maximum and minimum limits. The proceeds of the borrowings are to be used:

(1) To repay notes of the several companies, in the aggregate principal amount of \$1,850,000, and payable to said bank on December 31, 1954, and executed for the purpose of temporarily financing additions to property, plant and equipment; and (2) to apply the balance (\$1,950,000 for Cape, \$1,650,000 for New Bedford, \$950,000 for Plymouth) to reimburse, in whole or in part, the Plant Replacement Fund of the several companies for expenditures made therefrom to finance extensions, additions and improvements to property, plant and equipment, and (as respects Cape and Plymouth) to finance temporarily their respective construction programs.

The Department of Public Utilities of Massachusetts, the regulatory commission of the state in which Cape, New Bedford and Plymouth are organized and doing business, has expressly authorized their respective borrowings as aforesaid.

New Hampshire proposes to borrow funds from time to time prior to December 31, 1954, evidenced by notes maturing more than one year after date thereof but not later than December 31, 1956, bearing interest at the prime Boston rate for commercial paper plus $\frac{1}{4}$ of 1 percent, with a maximum of $3\frac{1}{2}$ percent and

a minimum of 3 percent, such interest rate to be adjusted every 90 days for any change in the existing prime rate within said maximum and minimum limits. The proceeds of the borrowing are to be used to reimburse, in part, the company's treasury for costs already incurred for capital expenditures.

The Public Utilities Commission of the State of New Hampshire, the regulatory commission of the state in which New Hampshire is organized and doing business, has expressly authorized the company's borrowing as aforesaid.

The expenses to be incurred by the several companies in connection with said borrowings are estimated as follows:

	NEGRA Service Corporation (services at cost)	Legal services (Wm. A. Hill)	Miscellaneous	Total
Cape	\$500	\$150	\$150	\$800
New Bedford	500	150	150	800
Plymouth	500	150	150	800
New Hampshire	500	150	150	800

¹ Including estimated legal fees of \$100 to associate counsel.

Notice is further given that any interested person may, not later than April 6, 1954, at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

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